

Forty-sixth

Forty-SIXTH ANNUAL REPORT
OF THE
MANAGERS OF THE
S O C I E T Y
FOR THE
Reformation of Juvenile Delinquents
TO
THE LEGISLATURE OF THE STATE
AND THE
CORPORATION OF THE CITY OF NEW YORK.
1870.

NEW YORK:
PRINTED BY JOSEPH LONGKING,
200 MULBERRY-STREET.

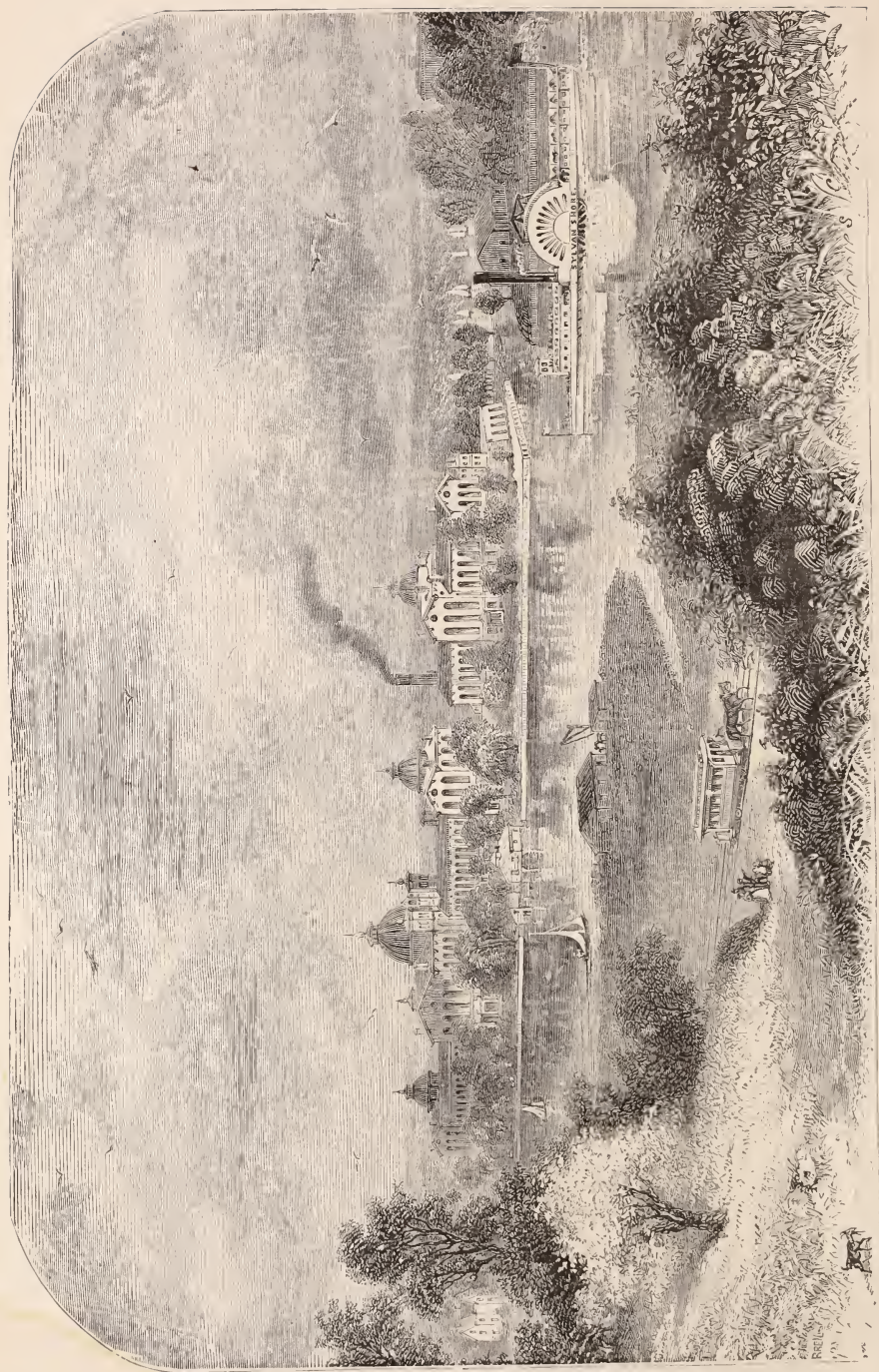
1871

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1871.

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VICE-PRESIDENTS.

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JOHN A. STEWART.

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ANDREW WARNER.

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VICE-PRINCIPAL OF SCHOOLS.

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MARY A. LATHAM,	ADA E. SHEPPEY.
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HOUSE OF REFUGE, RANDALL'S ISLAND, FERRY FOOT OF 117TH STREET.

STANDING COMMITTEES.

1871.

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BENJAMIN B. ATTERBURY,	NICHOLAS D. HERDER,
CYRUS P. SMITH,	D. JACKSON STEWARD,
NATHANIEL JARVIS, JR.	

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JANE W. FERRIS,	CATHERINE STEWART,
D. B. MILLER,	JANE MILLS,
ANNA E. BROWN,	MARIANNA F. FERRIS,
SARAH M. ADAMS,	MARIANNA M. WOOD,
MARTHA S. FERRIS.	



FORTY-SIXTH ANNUAL REPORT.

To the Honorable Legislature and the Corporation of the City of New York :

THE Managers of the Society for the Reformation of Juvenile Delinquents in the city of New York, in conformity with the provisions of their act of incorporation, passed March 29, 1824, respectfully

REPORT :

That the whole number of children received into the House of Refuge since its opening, in 1825, is.	13,727
That the number of children in the House on the 1st of January, 1870, was.	773
That there have been received during the year 1870.	522
Making a total of.	1,295
That there have been indentured and discharged during the year.	605
And there remain in the House on January 1, 1871.	690

The Superintendent's statement, hereto annexed, contains all the particulars required by the act referred to, as to the sources from which the inmates of the House have been received, their ages, and the disposition that has been made of them. The statement also shows the parentage of the children, whether native or foreign, as far as we have been able to ascertain, and contains many statistical details of interest and value.

The record of the past year, as presented in the Reports to be found in the Appendix, does not afford any remarkable or striking events, but gives evidence of patient labor and progress in the work which the Managers of the House of Refuge have in hand, acting under the sanction and by

the authority of the State. They have "labored in this cause, as in past years, with an eye to the public good alone, throwing aside whatever may have been proved by experiment either useless or prejudicial, and seeking in all right methods for whatever in their own experience, or that of others, may improve and benefit the subjects of their discipline." In closely scrutinizing the labors and results of another year, the Managers are encouraged and urged to prosecute their work in the spirit indicated by the above quotation from a former report, both from the decided improvement and marked tendency to a better life, manifested in the inmates discharged within the period named, and from the hopeful and earnest endeavors to a thorough reformation, which evidently pervade our little community. The modifications of the system of discipline heretofore introduced, and those in contemplation, combined with the mode in which the labor of the inmates hereafter will be made to conduce to their future well-being, have already produced such a measure of success as leads the Managers to hope that, with the changes experience may dictate, the reformation of the youthful offender will be assured with a certainty and to an extent never before reached.

In their last Report the Managers called attention to the falling off in the number of commitments in the city and county of New York. It was then shown that the number had fallen from 330 in 1868 to 224 in 1869. This diminution has continued during the year just closed, the commitments having been but 119. With but few exceptions the commitments from the other counties entitled by law to send children to the New York House of Refuge have increased. The large number of children from the city and county of New York, committed by the magistrates thereof to the school-ship and the industrial school at Hart's Island, under the charge of the Commissioners of Charities and Correction, as also to the Roman Catholic

Protectory in Westchester County, afford abundant evidence that there is no diminution in the class of either criminal or vagrant children. That any of the former are proper subjects for either of the above-named institutions, the Managers have very grave doubts. In the matter of economy and saving to the tax-payers of this city, there can be no question as to what institution should be selected for their safe keeping, to say nothing of the discipline to which they should be subjected for their own good, and that of the community. In their Reports for the last seven years the Managers have shown, by full details of expenditures, that the net cost of each child has been but little exceeding seventy dollars per annum; the amount received for their labor, divided by the average number in the Institution during each year, including those not engaged in remunerative labor, as well as those for whose labor a certain price was paid under contract, being sufficient to make up the gross cost per capita, which has varied from \$116 20 in 1867 (the average number of inmates in that year being little short of a thousand) to \$131 13 for the past year, when our number was 671. During these seven years now under review the annual average number of inmates has been 833, and the net cost per capita \$71 13. The sum received from the City Treasury direct, including the amount from the Board of Education for school purposes, has been less than \$20 per capita during the same period, while for every child sent to the Catholic Protectory the city of New York is taxed \$110 per annum. The Managers find, by reference to the Report of the Commissioners of Public Charities and Correction for 1869, the cost of the children committed to the Industrial School at Hart's Island to be more than \$150 each, and those in the school-ship cannot cost any less, as from their knowledge of the expenses attending the school-ships established as reformatories by the State of Massachusetts, they cannot be mistaken in asserting that the cost of each

child committed to the latter must be largely in excess of the figures here exhibited.

This, however, is not the only aspect in which the diverting of juvenile offenders from the House of Refuge to other institutions should be viewed. The Managers have observed with regret that numbers of criminal youth of ages that make them proper subjects for the discipline of a reformatory have been committed to penitentiaries in this and other counties. Nearly half a century ago the evil consequences arising from the confinement of youthful offenders in the jails and prisons of the State, thus exposing them to the contaminating influences of older and confirmed criminals, so impressed and shocked the public mind, that measures were taken by the leading gentlemen of benevolence in this city to establish the House of Refuge. The success which attended this movement has resulted in the founding of reformatories for our criminal youth all through the country. In no quarter has there been a whisper of failure on the part of these institutions to accomplish the work for which they were intended. Yet here, in the city of New York, with ample and well-arranged buildings, able and experienced officers to carry out its discipline, and with a record of forty-five years of unwavering devotion, on the part of its Managers, to the work intrusted to their charge, the House of Refuge on Randall's Island is thrust aside, with all its reforming and elevating influences, and the Penitentiary on Blackwell's Island, with its crowds of old and hardened offenders, has of late, in very many instances, been substituted as the place of confinement for the juvenile delinquent. If the Managers had failed in carrying out the wise and benevolent policy of the State, as shown by its legislation in favor of the reformation instead of the punishment of our criminal youth, or had in any way manifested on their part a want of faith in the accomplishment of so desirable a purpose, then there might be some reason

for this departure by the courts in these cases from that course dictated alike by humanity and a wise regard for the public welfare. The Managers have felt constrained to notice in this way what has been manifest for several years past, a studied effort in some quarters to misrepresent both the management and the results of the House of Refuge, and the yielding by the courts to the pressure of perverted and unjust impressions among those classes of the community from which the largest number of youth are committed.

The Managers, in common with others having charge of the penal and reformatory institutions of the State, wherein labor under contract is carried on by the inmates, were in September and October last afforded an opportunity to place before the Commission created by a resolution of the Legislature at the last Session a free exposition of the system which has from its start been in operation in the House of Refuge, for the employment of the children in such trades as were fitted to their ages and capacities, with the double view of inculcating habits of industry, and of enabling them on their discharge to earn an honest livelihood.

In the Report of the Superintendent there is given in a succinct and clear form a statement of the principles and the practice followed in the workshops of the House, under which, as a moral and reforming element, different forms of labor have been introduced and successfully carried on by the contract system, and at the same time the children protected from ill treatment or excessive tasks. The rule of the House, that nothing should be exacted from them, either in amount or character of work, beyond their ability easily to accomplish, is ever rigidly adhered to. The contractor, and those employed by him as either teachers or overseers, are held strictly to the rules established by the Managers; while faithful and competent officers, under their

appointment and pay, exercise discipline in the shops, responsible to the Superintendent only, and through him to the Board. The Executive Committee, one of whose duties is, at their weekly meetings, to visit the shops, to examine the reports of work done and of money earned, and generally to watch the operation of the contracts for labor, have ever considered that in degree of responsibility, in regard for the physical and moral condition of the children, and in care for the proper relation of the departments to each other, there was nothing within the scope of their powers calling for greater and more rigid scrutiny, and closer adherence to established rules.

The Managers, fully aware of the feeling which existed in some quarters as to the abuse to which the contract system was liable, and of the persistent efforts that had been made, and were not abandoned, by certain associations to exclude it from all penal and reformatory institutions, owed it to themselves, as well as to the Institution under their charge, to represent fairly and frankly their system, its object, its workings, and its results. They had no fear as to the conclusions which could be drawn from a thorough examination of the contract system as introduced and carried out in the House, and therefore asked and obtained from the Commissioners a full hearing. During the sessions of the Commissioners in this city certain parties, whose connection with one of the branches of trade carried on in the shops of the House, and whose former employment therein under the contractor gave them some knowledge of the system and but a very limited experience of its operation as a reformatory influence, volunteered their testimony before the Commissioners, and made statements of abuses and improper treatment of the boys, which were published in some of the daily papers. The Commissioners, however, afforded the Managers an opportunity to meet these gratuitous charges, which were shown by unimpeachable testimony to be either entirely

false, or gross misrepresentations. The report of this Commission has been submitted to the Legislature, and no doubt will soon be in the hands of members, with all the evidence taken by it, in obedience to the resolution under which it acted. As to the character and conclusions of this report, the Managers only know generally that there is no legislative action recommended as to contract labor in the prisons of the sweeping and destructive character contemplated by the bill which passed the Assembly at the last session, and feel encouraged to hope, that in any proposed measure hereafter, either to modify or do away with this system in our State-prisons, there will be no attempt to interfere with it, as established and successfully prosecuted, both in a moral and an economical point of view, in the New York House of Refuge.

In their Reports for the past five years the Managers have invited the attention of the Legislature to the experiment they have commenced in adapting their discipline in connection with certain modifications of labor in the shops to the reform and elevation of those of their inmates whose age and career previous to their commitment gave, under ordinary circumstances, but little hope for a future of usefulness and respectability. The details of the plan of work for deserving boys in the House, as adopted by the Board in November last, are given in full in the Appendix. This has been arranged in accordance with the suggestions made in their last Annual Report, in which the Managers state that "they are engaged in still other plans for the benefit of their inmates beyond the age of sixteen, which contemplate their receiving, after proper trial and the acquisition of the requisite skill, a part of the price paid by the contractor for their labor, the Managers reserving merely enough to pay their cost to the House." This experiment was spoken of at that time as being of too brief duration to warrant entire confidence of its permanent success. Another year's experience in its prosecution

has resulted so favorably as to induce the Board to adopt the plan above referred to. They feel that this is a step in the right direction, if faithfully followed up, to insure the permanent reformation of a class of young men whose number as confirmed criminals has of late years largely increased in our State-prisons and Penitentiaries. Already there is to be seen among those of our inmates who formerly were classed as incorrigible a settled determination to succeed in making themselves thorough and skilled workmen, with hope and energy manifest in their every look and action—the old spirit of unwilling submission to rules and authority which were distasteful, but could not be resisted, the constant longing for discharge, with a view to the free indulgence of their former vicious courses and unrestrained desires, the distrust in the sincerity of efforts for their benefit, the sneering taunts addressed to those of their companions who were striving upward, are now all exchanged for cheerful subordination to the rules of the House, for content to remain till a good character and skill in workmanship are attained, for unwavering and thankful trust in the promises made them, and for words of hope and encouragement to all within the scope of their influence. But not only in the House are these good effects apparent, but from outside the proofs of an improved public sentiment, arising from a knowledge of the purposes of the Managers, multiply from day to day. Young men who would, under a strict construction of the statute and the just sentence of the magistrate, be consigned to the Penitentiary or State-prison for a longer or shorter term, according to the nature of the offense, are seeking exemption from the legal penalty, and asking to be sent to the House of Refuge to undergo a confinement longer, in many instances, than that prescribed by law, but alleviated by hope and the assurance of acquiring an honest trade. They have learned from their former associates, graduates from the House, the good tidings; they

see their persistent and successful efforts to earn a living by the trade acquired while there, and they have the good sense to appreciate the difference between a convict discharged from prison unreclaimed, perhaps worse in principle and habits than before his imprisonment, bankrupt alike in character and prospects, and the former inmate of the House of Refuge, who, having earned a discharge by perseverance in an upright course, leaves its walls with character reformed, principles established, skill in a trade by which he is sure of a respectable living, and friends ever ready to sustain and help him in the hour of need.

It will thus be seen that the Managers have not been disappointed in the benefits they expected to realize from carrying out the plans which they have indicated in former reports, and so favorable have been the results thus far that they hesitate not to ask from the Legislature the enactment of a law extending the power of the Managers so that they may receive young men from sixteen to eighteen years of age, whom the courts may consider proper subjects. With a comparatively small appropriation a building with the required accommodations, in the way of shops, sleeping and dining halls, and school-room, could be erected for one hundred and fifty or two hundred young men, wherein this experiment, and the principles upon which it is started, could be thoroughly tested. If successful, and the Managers do not for a moment doubt its success, there would be afforded in this way a model, upon which the Trustees of the State Reformatory for adult criminals at Elmira might proceed if the plans adopted there should not accomplish the purpose for which it has been established by the State.

The Report of the Chaplain presents a review of the operations and general aspect of the Institution during the past year, which is full of interest to all who are anxious for the reformation of the youthful offender. The services in the chapel, and through the week among both officers

and inmates, are shown to be of a character to promote their moral advancement, and to fix right principles in the minds of these youth, without giving prominence to any particular form of religious faith, or a bias in favor of one sect over another. The Managers ask for this Report of their Chaplain the calm and thoughtful examination of all parties, convinced as they are that by the constant and direct inculcation of the teachings of the Holy Scriptures the minds and hearts of their inmates can best be made to feel the necessity of reformed lives, and cordially to acquiesce in the measures and to yield to the restraints necessary to produce the desired end.

In the schools there have been the same painstaking and zealous performance of duty, with the like favorable advancement in acquiring the rudiments of a common school education, which have characterized this department in former years. The Report of the Principal in the Appendix gives the full details of the work of the year.

The sanitary condition of the House during the period embraced in the Report of the Physician has been as favorable as in former years, and the mortality less than in any year since 1867. The deaths have amounted to but six, among a total of nearly thirteen hundred children within our walls during the past twelve months, with a daily average of but little short of seven hundred. It is a matter for great thankfulness that at no period, either during the occupation of the present locality, or at either of the former sites of the Institution, have its inmates been subject to the ravages of any wide-prevailing epidemic; but, on the contrary, while outside its walls the population of the city has felt to an alarming extent the destructive effects of such epidemics as cholera, typhoid fever, and other diseases, the community within our precincts have either entirely escaped, or been but slightly affected.

The Superintendent has given in his Report a detail of the stoppage which in October last occurred in the pipe

laid in the bed of the Harlem River from the foot of One Hundred and Eighteenth Street, through which the House of Refuge receives its supply of water. The prompt and efficient service rendered by the Board of Public Works in this emergency, the renewal of the supply and thorough repair of the pipe, demand from the Managers this public recognition of the work so satisfactorily done, and their thanks for being thus relieved from a difficult and expensive undertaking.

The details given in the Treasurer's Report exhibit the expenditures and income for the year, with a small balance against the Society.

There have been expended during the year :

For support and maintenance.....	\$87,583 03
For insurance of buildings, rent, and incidental expenses....	3,489 25
For permanent improvements, namely, boilers and heating apparatus, boiler-house and chimney, steam pipes, etc.....	17,580 65
For debt of 1869.....	797 98
Total expenditure.....	<u>\$109,450 91</u>

The receipts for the same period have been :

From the State Comptroller, annual allowance....	\$40,000 00
From the City Comptroller, annual allowance....	8,000 00
From the Board of Education, License of Theaters, etc.....	22,058 71
From the Labor of Inmates.....	39,218 53
	<u>\$109,277 24</u>
Deficiency.....	\$173 67

This small amount will be more than covered by the sum to be collected from one of our contractors for labor of boys in 1870.

The falling off noticeable in the amount received for the labor of the children under contract arises from the decrease in their number, not from any material reduction in the price paid by the contractor. The earnings collected in 1870 amount to \$39,218 53, which sum being divided by the average of inmates for the same period, 671, will give \$60 20 as the average for each child, which

is larger than that for the six years previous, though somewhat less than that of 1869, which was \$60 46.

The Managers have been enabled out of the receipts of 1870 to carry on the permanent improvements commenced in 1869, the necessity for which was so urgent that delay would have subjected them to censure. The warming of the buildings by the hot water apparatus, originally placed in the several departments, has not been successful, and the Managers were persuaded that for the sake both of efficiency and economy they ought to substitute in its place the mode of heating by steam, now so generally adopted in all large buildings. They have expended, as given in detail in the Superintendent's Report, \$17,580 65, mainly for this desirable object, and the result has thus far been entirely satisfactory. Among the items stated by the Superintendent, it will be observed that the sum of \$189 75 has been expended for gas-fixtures in the chapel for the purpose of lighting it in the evening. By means of this improvement, the chapel has, at a small cost, been made available for lectures in the evening, given by kind friends who have volunteered their services in this way to relieve the monotony of institution life to officers and inmates, and at the same time to present, in a pleasing and attractive form, subjects both for their amusement and instruction.

The Managers, in conclusion, feel themselves justified in stating, after a fair and candid review of the year just closed, that at no time in the history of the Institution has its condition been so promising of good for the future. They draw the happiest inferences and most encouraging hopes from the entire harmony which has existed during the past twelve months, and still prevails between the Superintendent and his subordinate officers on the one side, and the large community of children under their charge and discipline on the other. The zeal, energy, and sound judgment conspicuous in the head of the Institution,

aided by the ready co-operation of his associates; the success that has thus far attended the plans from time to time matured for accomplishing the great and good purposes of the House; and the growing sentiment of accord with its methods of discipline among those who, as parents or guardians, ask its aid, afford abundant reason for the Managers to be satisfied that they are laboring neither blindly nor fruitlessly in carrying out the objects of the Legislature, and to congratulate the community and the State upon the benefits realized by its course of wise legislation, to promote the reformation of the youthful offender, steadily pursued for nearly fifty years past.

NEW YORK, *January 1, 1871.*

LIBRARY FUND, DERIVED FROM LEGACIES AND GIFTS FOR THE LIBRARIES OF THE HOUSE.

Amount invested in U. S. Government Bonds, at 6 per cent.....				\$3,500 00
1870, Jan'y 1,	Balance to the Credit of this Fund to January 1, 1870.....	\$129 32	1870, Jan'y 1,	Paid Bills by order of the Library Com- mittee for Books.....
to	Received by Treasurer in Gold, and		to	
1871, Jan'y 1.	converted into Currency.....	247 39	1871, Jan'y 1.	
	Advanced by Treasurer.....	3 66		\$380 37
		\$380 37		
			Balance against Receipts from Fund.....	\$3 66

NEW YORK, *January 1, 1871.*

[E. E.]

JOHN A. STEWART, *Treasurer.*

APPENDIX.

REPORT OF THE SUPERINTENDENT FOR 1870.

To the Board of Managers of the Society for the Reformation of Juvenile Delinquents :

GENTLEMEN: I have the honor to report that, since the opening of the Institution, in 1825, the whole number of children received is 13,727. The number in the House on the first day of January, 1870, was as follows :

White Boys.....	614	
White Girls	97	
Colored Boys.....	53	
Colored Girls.....	9	
		<hr/>
		773

Were received during 1870:

White Boys	410	
White Girls.....	81	
Colored Boys.....	20	
Colored Girls....	11	
		<hr/>
		522

Total in the House during the year..... 1,295

Were disposed of:

White Boys.....	457	
White Girls.....	101	
Colored Boys.....	40	
Colored Girls.....	7	
		<hr/>
		605

Leaving in the House January 1, 1871 :

White Boys.....	567	
White Girls.....	77	
Colored Boys.....	33	
Colored Girls.....	13	
		<hr/>
		690

TABLE I.—SHOWING THE SOURCES WHENCE WERE RECEIVED 522 CHILDREN DURING THE YEAR 1870.

	White Boys.	White Girls.	Colored Boys.	Colored Girls.	Total.
From New York Police Courts.....	21	8	1	0	30
“ New York Sessions.....	81	2	1	0	84
“ Kings County.....	100	16	4	2	122
“ Queens “.....	3	0	1	1	5
“ Suffolk “.....	1	1	1	0	3
“ Orange “.....	13	5	2	0	20
“ Westchester County.....	25	3	0	0	28
“ Rensselaer “.....	22	9	0	4	35
“ Albany “.....	35	5	1	0	41
“ Sullivan “.....	1	0	0	0	1
“ Montgomery “.....	2	1	0	0	3
“ Columbia “.....	2	0	0	0	2
“ Ulster “.....	4	2	0	0	6
“ Dutchess “.....	7	0	0	1	8
“ Putnam “.....	2	0	0	0	2
“ Tioga “.....	0	2	0	0	2
“ Chautauqua “.....	0	1	0	0	1
“ Oswego “.....	0	1	0	0	1
“ Erie “.....	0	6	0	1	7
“ New York Juvenile Asylum....	3	0	0	0	3
“ Commissioners of Charities and Correction.....	1	0	1	0	2
Returned by the Courts.....	68	4	4	0	76
“ Masters or Friends.....	16	12	4	2	34
“ Own Accord.....	3	3	0	0	6
	410	81	20	11	522

TABLE II.—SHOWING THE PARENTAGE OF 406 NEW INMATES RECEIVED DURING THE YEAR 1870.

Americans.....	70	Welsh.....	2
English.....	23	Italian.....	4
German.....	47	Irish.....	225
French.....	8	Jews.....	1
African.....	21		
Scotch.....	5		406

TABLE III.—SHOWING THE AGES OF 406 NEW INMATES RECEIVED DURING THE YEAR 1870.

1 was 6 years old.	69 were 14 years old.
1 “ 7 “	79 “ 15 “
6 were 8 “	59 “ 16 “
7 “ 9 “	22 “ 17 “
15 “ 10 “	18 “ 18 “
24 “ 11 “	10 “ 19 “
36 “ 12 “	4 “ 20 “
55 “ 13 “	

Average age: 14 years, 1 month, 26½ days.

TABLE IV.—SHOWING THE DISPOSITION OF 605 CHILDREN DURING THE YEAR 1870.

	White Boys.	White Girls.	Colored Boys.	Colored Girls.	Total.
Indentured to Farmers.....	101	0	24	0	125
“ Housewifery.....	0	45	0	5	50
“ Blacksmiths.....	1	0	0	0	1
“ Metal Roofers.....	1	0	0	0	1
“ Wood Turning.....	1	0	0	0	1
“ Coach Painting.....	1	0	0	0	1
“ Butchers.....	2	0	0	0	2
“ House Servant.....	0	0	2	0	2
“ Shoe-making.....	1	0	0	0	1
“ Milkmen.....	2	0	0	0	2
“ Clerk.....	1	0	0	0	1
Discharged by habeas corpus.....	9	1	0	0	10
Discharged by Managers.....	333	54	12	2	401
Escaped.....	1	0	0	0	1
Died.....	3	1	2	0	6
	457	101	40	7	605

TABLE V.—SHOWING THE OFFENSES OF 406 NEW INMATES RECEIVED DURING THE YEAR 1870.

Petit larceny.....	192
Grand larceny.....	14
Vagrancy.....	66
Burglary.....	22
Assault and battery.....	1
Disorderly conduct.....	101
Highway robbery.....	1
Attempt to poison.....	1
Obtaining goods by false pretense.....	3
Arson.....	1
Accessory to rape.....	1
Malicious mischief.....	3

TABLE VI.—SHOWING THE SOCIAL CONDITION OF 452 CHILDREN RECEIVED DURING THE YEAR 1870.

Have lost fathers.....	92
Have lost mothers.....	69
Have lost both parents.....	37
Have step-fathers.....	26
Have step-mothers.....	21
Both parents living.....	187
Parents separated.....	9
Unknown.....	9
Father in prison.....	1
Deserted by parents.....	1

TABLE VII.—SHOWING THE WEEKLY REPORT AND AVERAGE NUMBER DURING THE YEAR 1870.

	Boys.	Girls.	Total.		Boys.	Girls.	Total.
Jan. 7....	664	105	769	July 8....	549	69	618
" 14....	664	102	766	" 15....	551	69	620
" 21....	661	100	761	" 22....	555	74	629
" 28....	666	96	762	" 29....	557	77	634
Feb. 4....	662	94	756	Aug. 5....	551	79	630
" 11....	653	96	749	" 12....	559	79	638
" 18....	644	94	738	" 19....	554	80	634
" 25....	644	94	738	" 26....	555	81	636
Mar. 4....	637	94	731	Sept. 2....	555	81	636
" 11....	629	94	723	" 9....	559	81	640
" 18....	621	94	715	" 16....	555	83	638
" 25....	620	95	715	" 23....	566	84	650
April 1....	602	93	695	" 30....	571	84	655
" 8....	596	93	689	Oct. 7....	571	77	648
" 15....	575	88	663	" 14....	568	78	646
" 22....	567	89	656	" 21....	580	78	658
" 29....	567	88	655	" 28....	580	78	658
May 6....	565	86	651	Nov. 4....	584	82	666
" 13....	561	84	645	" 11....	587	84	671
" 20....	559	81	640	" 18....	588	85	673
" 27....	551	77	628	" 25....	590	86	676
June 3....	546	70	616	Dec. 2....	592	89	681
" 10....	551	68	619	" 9....	603	88	691
" 17....	546	66	612	" 16....	601	86	687
" 24....	554	65	619	" 23....	606	90	696
July 1....	556	66	622	" 30....	598	89	687

Average for the year.....671 36-52

Highest.....776

TABLE VIII.—SHOWING THE WORK DONE IN THE FEMALE DEPARTMENT DURING THE YEAR 1870.

Dresses made.....	319	Napkins.....	48
Aprons.....	228	Crumb-cloths.....	4
Chemises.....	125	Rollers.....	46
Skirts.....	58	Carpet balls.....	144
Shirts.....	672	Pairs of pants.....	1,248
Under-shirts.....	44	Jackets.....	782
Sheets.....	83	Caps.....	720
Pillow-cases.....	30	Pairs suspenders.....	497
Towels.....	64	Pairs mittens.....	13
Night gowns.....	4	Garments repaired.....	54,726
Drawers.....	39	Stockings mended.....	16,851
Bed-ticks.....	36	Pieces washed.....	210,183
Table-cloths.....	7		

TABLE IX.—SHOWING THE LENGTH OF TIME 605 CHILDREN, DISPOSED OF DURING 1869, HAD BEEN IN THE HOUSE.

18 were less than 1 month.	17 were in 21 months.
8 were in 1 "	13 " 22 "
18 " 2 months.	15 " 23 "
7 " 3 "	11 " 24 "
8 " 4 "	10 " 25 "
10 " 5 "	11 " 26 "
19 " 6 "	12 " 27 "
10 " 7 "	5 " 28 "
21 " 8 "	8 " 29 "
14 " 9 "	12 " 30 "
16 " 10 "	2 " 31 "
21 " 11 "	7 " 32 "
65 " 12 "	4 " 33 "
48 " 13 "	7 " 34 "
32 " 14 "	3 " 35 "
28 " 15 "	2 " 36 "
21 " 16 "	1 " 37 "
23 " 17 "	3 " 40 "
25 " 18 "	1 " 41 "
24 " 19 "	1 " 44 "
23 " 20 "	1 " 46 "

Average time in the House: 15 months, 10½ days.

TABLE X.—SHOWING THE COST OF SUPPORT PER CAPITA, YEARLY AND DAILY, IN THE DIFFERENT ITEMS OF EXPENSE; ALSO THE GROSS COST, THE EARNINGS BY THE CHILDREN, AND THE NET COST TO THE STATE AND CITY.

AVERAGE NUMBER OF INMATES, 671 36-52.

PROVISIONS.			CLOTHING.			SALARIES.		
Whole Amount.	Per Capita Annually.	Per Capita Daily.	Whole Amount.	Per Capita Annually.	Per Capita Daily.	Whole Amount.	Per Capita Annually.	Per Capita Daily.
\$ 39,885 57	\$ c. m. 39 35 9	\$ c. m. 0 16 24	\$ 7,115 30	\$ c. m. 10 53 8	\$ c. m. 0 2 9	\$ 27,712 35	\$ c. m. 41 23 4	c. m. 11 3

FUEL AND LIGHT.			BEDDING AND FURNITURE.			BUILDING AND REPAIRS.		
Whole Amount.	Per Capita Annually.	Per Capita Daily.	Whole Amount.	Per Capita Annually.	Per Capita Daily.	Whole Amount.	Per Capita Annually.	Per Capita Daily.
\$ 4,562 71	\$ c. m. 6 79	c. m. 1 84	\$ 2,645 16	\$ c. m. 3 92 14	c. m. 1 7	\$ 1,784 03	\$ c. m. 2 65 44	c. m. 0 7 2

TABLE X.—CONTINUED.

BOOKS AND STATIONERY FOR SCHOOLS AND CHAPELS.			HOSPITAL.			ALL OTHER ITEMS OF EXPENSE NOT INCLUDED ABOVE.		
Whole Amount.	Per Capita Annually.	Per Capita Daily.	Whole Amount.	Per Capita Annually.	Per Capita Daily.	Whole Amount.	Per Capita Annually.	Per Capita Daily.
\$ c. 645 15	\$ c. 0 96	c. m. 0 24	\$ c. 159 28	c. m. 23 7	c. m. 0 0.65	\$ c. 3,610 62	\$ c. m. 5 35 8	c. m. 1 44

GROSS EXPENSE.			EARNINGS BY CHILDREN AND REC'D FROM DOCK, ETC.			NET EXPENSE.		
Whole Amount.	Per Capita Annually.	Per Capita Daily.	Whole Amount.	Per Capita Annually.	Per Capita Daily.	Whole Amount.	Per Capita Annually.	Per Capita Daily.
\$ c. 88,120 37	\$ c. 131 13	c. m. 35 9	\$ c. 40,458 20	\$ c. 63 20	c. m. 16 5	\$ c. 47,662 17	c. m. 70 93	c. m. 19 4

In 1869 it was as follows (average number 848):

GROSS EXPENSE.			EARNINGS OF CHILDREN.			NET EXPENSE.		
Whole Amount.	Per Capita Annually.	Per Capita Daily.	Whole Amount.	Per Capita Annually.	Per Capita Daily.	Whole Amount.	Per Capita Annually.	Per Capita Daily.
\$ c. 109,204 10	\$ c. 128 78	c. m. 35 1	\$ c. 51,268 54	\$ c. 60 46	c. m. 16 5	\$ c. 57,935 52	\$ c. 68 32	c. m. 18 8

The foregoing statistics embrace every thing relating to the admissions and discharges during the year, the nativity of the children, their social condition, the offenses with which they were charged; the length of time those were in the House who were discharged during the year, their ages, the trades to which they were put, and a detailed statement of the receipts for labor, and of the expenditures.

The reports of the Chaplain, the Principal of the Schools, and of the Physician, herewith submitted, give full details of their respective departments.

The health of the Officers and inmates has been good, the hospital, for

several months during the summer having no occupant, and there being but few cases which required the attention of the Physician. During the latter part of the summer a boy was transferred to the Refuge from another Institution who had sore eyes, and, notwithstanding much care was taken to prevent his communicating the disease to the other boys, several of the First Division were affected by it, but, fortunately, it was arrested before it had gained any considerable headway, and no serious consequences resulted. There were six deaths among the inmates during the year, five boys and one girl. The causes of death are stated in the Physician's report.

CONTRACTS AND EARNINGS.

The West, Bradley, and Carey Manufacturing Company, and M. Cohn, contractors, the former for the girls, and the latter for the small boys, at the hoop-skirt business, closed their contracts on the 1st of June. Since then the girls have been employed in the domestic work of the House, and in making, mending, and washing for the whole establishment. The little boys, those that were large enough, were taken into the other shops, and have had employment through the year. The very small ones have been used as errand boys and in doing light work about the shop, and in this way all have been kept from idleness. In consequence of the discontinuance of these contracts, and the reduction in the number of inmates, the receipts from labor have very considerably diminished, as shown in Table X. The other contracts, shoe and wire-working, have continued in operation through the year without interruption.

LABOR NECESSARY AS A MEANS OF REFORM.

A well-systematized and regular form of labor adapted to the capacity and ability of the inmates has always been held by the Board essential and indispensable as a means for the reformation of the children who are committed to the Refuge. Instruction in the schools and moral and religious culture are necessary elements in the work of reform; but these, however well and thoroughly applied, without at the same time attaining industrial habits, and the acquirement of the necessary skill in some trade or business, by which an honest living can be secured, do not suffice to place our inmates when discharged in such positions as enable them to pursue a reputable course in the future. The boys and girls that find their way to the Refuge are what they are more from idle and indolent habits than from inherited vicious propensities, however strong these may be to shape the character. It is rare, if ever, a boy or girl is committed to the Refuge who has been a regular attendant at school, or who has been engaged in any established form of business with the view or desire to become a master of it. There are very few indeed who have not had some form of work, but nothing calculated to train them in industrial habits or to a taste for labor. Their occupation has either been blacking boots, selling papers, or working about

the markets, or as errand boys in offices. Occasionally one is found who has been on a short voyage to sea, or who has worked on the canals for a season or two. The same habit of irregularity and shiftlessness has characterized their attendance upon school. Many, especially those that come from the city of New York, have been inmates of other institutions before reaching the Refuge, and they have frequently been in the hands of the police, chiefly for minor offenses. Their lives have been unrestrained and vagrant, without aim or purpose. To deal successfully with this class, it was evident at the outset that regular and systematic labor and thorough school instruction were indispensable, and both, therefore, have received attention corresponding with their importance. That the labor might be successfully carried on without too much engaging the attention of the Superintendent and Officers in its detail, thereby lessening their opportunity to attend to the instruction and care of the inmates, the contract system was early adopted, and has continued in operation to the present time. The favorable results obtained under this system justify its continuance. I am firmly convinced, by an experience of nearly twenty years, that no system of employing the inmates of Reformatories has been discovered which has been attended with equal success. But for this plan the Institution would be forced to employ a large capital to carry on the trades introduced, and it also obviates the necessity of seeking a qualified business man and a competent superintendent in the same individual. The Institution, in carrying on the business on its own account, would fail either in its business operations or in its reformatory results. In making the contracts great care is taken to select, as far as practicable, those trades that will best enable the boys to obtain a living when they are discharged from the House, and to secure in the contractor a man of means and ability to keep the boys employed without interruption, through the dull seasons as well as when business is good. The conditions of the contracts are made so as to leave the entire control and discipline of the boys with the authorities of the House, also the supervision of the conduct of the men employed by the contractor as overseers or instructors while on the premises. The hours for labor, and the amount of work to be done during those hours; is fixed by the same authority; and if in any case it is thought best that a boy should be removed from the shop for indenture, or for other purposes, this is done without the contractor's knowledge or consent. Thus, while the House is secured against loss by the risks incident to the employing of capital, the boys are as carefully and effectually shielded from being overworked or ill-used by the contractor as they could be if the Institution furnished every dollar of capital. The rules for the government of the shop are framed and hung in each room, where all can have access to them; and an officer employed by the Institution is on duty in the shop at all times when the boys are at work to see that these rules are observed, and to report violations of them, if any occur, to the proper authority. A copy of these rules accompany this Report.

PLAN OF WORK FOR AN IMPROVED CLASS OF BOYS.

In my last Report I referred to an arrangement with the contractor in the shoe-shop to employ a few of the older boys in the cutting department, with a view of teaching them the trade, so that when they had qualified themselves they could be discharged from the House and employed in the shop as journeymen. The boys, after acquiring some degree of skill in this department, were to receive small sums weekly, in addition to the amount paid to the House, for themselves when they should be discharged, with which to purchase an outfit of clothing, and also to afford them a few dollars to spare for one or two weeks' board, until they could get started as journeymen.

There were at the beginning of the year four or five boys at work in the department, and others were added from time to time during the year, so that fifteen or sixteen have been thus employed. By the 1st of July four had succeeded in earning forty-five dollars each, and they had acquired a fair skill and knowledge in the business. They were accordingly discharged after having obtained their outfit, and, as agreed upon with the contractor, were taken into the shop at regular wages. Four others were discharged under similar circumstances on the 1st of September, and one more in November, making nine in all that have graduated from this department during the year. Several others are at work on the same terms, and they will in due time reach the same results. Of the nine that were discharged six of them are steady, industrious young men, coming daily to their work like other men, and giving good satisfaction. The other three have obtained work elsewhere, and, so far as I am informed, are doing well. *Not one of them has relapsed into his former course of life.* The boys selected for this department were, with two exceptions, returned boys, some of them for the third time; one of them during an interval of absence from the Refuge was an inmate of the Penitentiary. They were not of that class most readily managed, and previous to their entering upon this arrangement many of them were frequent subjects for discipline. *But during the whole time they served in this shop not a single complaint was made against one of them,* either in the school or at their work. The influence growing out of this plan was not confined to these particular boys, but it was felt by the whole division, and the result has been a more cheerful obedience and a more hopeful spirit among all the boys. The fruits from this small experiment have been so satisfactory as to induce a trial of it another year on a larger scale. A system of rules have been adopted, and a room has been fitted up in the shop for fifty boys, apart from the others, which will be occupied early in January. A copy of these rules will be found in another portion of the Appendix. Boys that are employed in this shop are required to yield obedience to all the rules of the House without coercion, and no marks or punishment will be inflicted so long as they remain members of it. It is intended to thoroughly test the power of the plan, and to note its results as a basis of other plans that may be formed in the future. The privileges given to this class, it is believed, will act as a powerful incentive to make them industrious and obedient, and serve in

a large degree to relieve the monotony while they are undergoing the discipline of the Refuge. It is designed more especially for the class of older boys whose lives thus far have given themselves or their friends no comfort, and who see very little in the future to encourage them to hope for better things.

IMPROVEMENTS.

The means for warming the buildings and for supplying more steam-power to work the steam-pump have been improved by putting in two steam-boilers of seventy-five horse-power each, and running steam-pipes for radiation through the rear buildings of both departments, and connecting the boys' kitchen and the laundry in the girls' house so as to dispense with the two small boilers heretofore used in those departments. Radiating pipes have also been run in the boys' dormitory halls, and the main pipe in the basement of the rotunda has been extended to the north wing, so as to allow an outlet to the Second Division dormitories. It was necessary to construct a boiler-house and chimney, as there was no building suitable for the new boilers. The building is located between the two departments, so as to make it easy to carry steam to the boys' and girls' buildings, and sufficiently large to accommodate two other boilers of the same capacity of those now in use should it be found necessary to put them in. A passage way leading from the boiler-house to the basement in the south wing of the boys' house has been blasted out and arched over so as to make it convenient to carry coal from the cellar to the steam-boilers. The large steam-pump has been set in the boiler-house, and the Croton main changed so as to connect with it, and also the large pipe leading to the tanks in the domes. The provision thus made renders the building quite safe from danger by fire, and will, no doubt, enable the Board to secure insurance at a lower rate of premium. When the whole plan for warming the buildings is completed there will be no fires in any of the buildings except in the ranges. Our experience of this change, so far, shows a great economy in fuel, saving fully twenty-five per cent., and securing a greater degree of comfort to the inmates and officers than heretofore.

The cost of the several improvements during the year, which have been paid for from the labor earnings of the children, are as follows:

For two steam-boilers, seventy-five horse-power	\$6,456 00
“ Boiler-house, fifty feet by thirty-four	1,939 62
“ Chimney, ninety-four feet high, three feet flue, lined with fire-brick and iron cap	2,288 39
“ Tunnel from boilers to cellar	297 10
“ Steam-pipes for rear buildings, both departments, and for laundry and boys' kitchen	3,714 91
“ Steam-pipes, boys' dormitories, both divisions	914 97
“ Altering Croton main, flagging boiler-house, etc	132 53
“ New pump for boilers, and resetting old one	944 60
Carried forward	\$16,688 12

SUPERINTENDENT'S REPORT.

35

Brought forward.....	\$16,688 12
For Fitting boilers and pipes.....	402 54
“ Putting gas-fixtures in chapel.....	189 75
“ Fitting up shop for fifty boys—new plan of work.....	194 90
“ Bill for tank in dome—unpaid last year.....	105 34
	<hr/>
	\$17,580 65

The estimated cost for completing the plan for warming the buildings, including two additional boilers of the same capacity as those already placed, is \$15,000. The buildings will require considerable outlay during another year for their proper preservation. The interior wood-work of both departments should receive, at least, one coat of paint; and some carpenter work should be done to the doors and windows. The domes and the rear building (Female Department) need two good coats of paint on the outside.

In October last an obstruction occurred in the Croton pipe, through which the supply of water for the use of the Institution was obtained. Upon notice being given to the Board of Public Works, the chief-engineer, Mr. Tracy, immediately took measures to raise the pipe in order to ascertain the cause of the obstruction, which was found to be a large eel, whose body so filled the pipe as to stop the flow of water. This was removed, the joints of the pipe were re-adjusted, and the whole was re-incased with sound timber, the former casing having been found worm-eaten and decayed. During the time required for this rather tedious operation the necessary supply of water was procured from the pipe at the nurseries by attaching a line of hose thereto from our hydrant at the north end of our buildings. This difficulty having occurred with us, and on two occasions previously at the nurseries, from causes against which no ordinary prudence can guard either them or ourselves, we are admonished that it would be a wise precaution for both Institutions to connect the mains respectively communicating with each by a pipe running from one to the other on the Island, at a depth sufficient to secure it from the effects of frost, with gates, to be opened only in case of necessity.

It affords me pleasure to bear testimony to the fidelity of the Officers to the interests of the Institution. Some of them have served it many years with a devotion and an earnestness for which they merit special commendation.

With grateful acknowledgments for the cordial support of the Board, and of the several Committees, I most respectfully submit this, my eighth Annual Report.

ISRAEL C. JONES, *Superintendent.*

RANDALL'S ISLAND, Dec. 31, 1870.

REPORT OF THE CHAPLAIN.

To the Managers of the Society for the Reformation of Juvenile Delinquents :

GENTLEMEN : At the Conventions of Managers and Officers of Houses of Refuge and Institutions of a similar character, held in the City of New York in the years 1857 and 1859, the prevailing sentiment seemed to be that a resident Chaplain would not be likely to work in entire harmony with the discipline of the House, and that his views would often conflict, particularly with those of the Superintendent. Quite ungrateful illustrations of such a possibility had been realized in several of the larger State Institutions in previous years. It will be eight years next March since the present incumbent of the New York Chaplaincy entered upon his duties, and the first conflict in reference to prerogative, or difference of sentiment in regard to discipline, is yet to occur. Not the least important service which has, during these years, been the weekly duty and privilege of the Chaplain to render, has been his lecture on Wednesday evenings to the associated officers. He has been convinced that, in this way, he reached his immediate charge quite as directly, and even more efficiently, on the whole, than by his public Sabbath discourses to the children. Whatever of earnestness of religious purpose, of genuine humanity, of tender charity, or of personal responsibility for the well-being of others has been thus developed, it has at once found its objective field of operation among the unfortunate children coming under the daily instruction and care of these officers. We have maintained inviolably the true position of a public institution upon the disputed points among the Christian denominations, interpreting the teaching of our common Scriptures upon those fundamental truths lying at the foundation of piety and wholesome morals which all hold without serious differences of sentiment. All sects save one heartily accept this common ground, and for that one special provision is made out of the public treasury by the support of the Catholic Protectory at Westchester. To that Institution magistrates are required to commit all juvenile offenders whose parents or guardians request them so to do. To introduce sectarian instruction into the Refuge would destroy the fundamental idea upon which it is based, and introduce among its inmates perplexing and hurtful discussions and controversies. But to give a liberal expansion to Christian charity, and to offer every privilege for the gratification of a conscientious predilection where it does not occasion a sectarian contention, in addition to the general invitation to the clergymen of all denominations to occupy from time to time the pulpit of the Refuge for a religious discourse on the Sabbath (which is proffered with equal heartiness to the Catholic clergy) whenever an inmate, or the friends of one, desire the per-

sonal instructions of a priest, or an occupant of the hospital seeks the solemn offices of the Church in the expectation of death, we cheerfully send for their chosen administrator and afford every facility for the satisfactory discharge of the sacred service. We have some reason to hope and believe that so liberal a consideration of what has been a very perplexing and difficult question, involving matters of conscience on both sides, has been appreciated by such of the Catholic clergy as have become personally familiar with the nature of the Institution and its moral and religious type.

No year has yielded more satisfactory evidences of the power and efficiency of the religious instructions of the House. The general quiet among the many hundred inmates, the gradual but constant improvement in temper, habit, and character, the affecting individual conversations with the Chaplain or officers of the House upon religious subjects, and the rare, but always touching, interviews with the sick and dying, have borne their testimony to the prevailing moral atmosphere of the Institution. The Sunday-school instruction, under our devoted daily teachers, aided by such gratefully welcomed Christian laborers as our manager, Mr. Herder, and Messrs. Shephard, Davis, Dikeman, Giffen, and Miller, has been faithfully prosecuted during the year, and has been, without doubt, fruitful of good.

As an additional educational and moral force, during the last months of the year, nearly every fortnight, an intellectual evening's entertainment has been arranged in the Chapel—addresses, recitations, and concerts have been provided before the assembled children and officers of the House, and numerous guests from the city. We have been placed under peculiar obligations by the voluntary services of those whose usual lectures command a large compensation. Rev. Dr. Hall, Rev. George S. Mingins, Miss Hattie M. Morris, Hon. I. S. Diehl, and Messrs. Phillip Phillips and A. O. Van Lennep, have each of them given us one or more evening services of the most delightful and profitable character.

During the fifteen years in which the Chaplain has been connected with reformatory institutions a remarkable change has been manifest in the public mind in reference to them. Even so short a period back as this, but little general interest was exhibited in behalf of exposed and criminal children. Nearly a score of State Institutions have been established in these years, and quite efficient municipal and voluntary measures have been taken to abate the evils of truancy, break up juvenile vagrancy, and cure the criminal habits of juvenile delinquents. The late Prison and Reformatory Congress, whose sessions were continued for a week in the city of Cincinnati, Ohio, during the month of October last, was a fair exponent of this newly and widely awakened zeal upon these vital questions of social science. Over two hundred gentlemen and ladies, with three Governors of States, and several leading judicial magistrates, from all portions of the United States, with visitors from other parts of our continent, were held together for this long period, listening to elaborate papers and engaging in animated discussions. While the officers and managers of Penitentiaries greatly out-

numbered the immediate friends of Reform Schools, and the programme of the Congress was crowded with topics relating chiefly to the discipline of prisons, the most earnest, and widely shared-in discussions—those awakening the liveliest interest of the audiences—were such as related to the management of Preventive and Reformatory Institutions. While the reformation of the adult prisoner should by no means be despaired of, but should be sought in every practicable way, it was the universal conviction that the true hour to cure crime is in its incipency, and that the prison should rather be depleted by saving the exposed and delinquent children from entering its walls. An amicable division of sentiment prevailed as to the superior efficiency in the work of training vicious and criminal children, of family or open institutions over large congregated and walled houses of refuge. The longer the writer of this Report, who has enjoyed a personal experience in both systems, reflects upon this subject, the less importance he attaches to either system; and the indispensableness of intelligent and truly Christian officers, of a regular and earnest discipline of labor for a limited period—of a form of labor that may hereafter be made practical for a livelihood—and of a permanent settlement, after a discharge from the House, in some regular employment with adequate remuneration, and the guardianship of the Institution, becomes more and more evident. The simple contentment of a youth in an Institution without walls, won by kindness, rewards, and an appeal to a sense of honor, is but a short step toward reform. Some of the most difficult cases of reformation in the New York Refuge have been the most amiable, easily managed, and always trusted boys, so far as their personal freedom is concerned. They will never run away, whatever may be their opportunities; but they will be sure either to become dissipated, be guilty of petty thieving, or fall victims to sexual indulgence when they are discharged from the House, unless something further is done for them. There is not a boy in the Refuge that cannot be trusted to go to the city, with the assurance that he will return, if placed upon his honor. Boys have been permitted to attend, without an officer, the funeral of friends, and even to remain away for several days, and no one has ever betrayed his trust. The keeper of the main gate, which stands open every day from morning until night, is, at present, the youngest and smallest boy in the House—about seven years of age—a fit successor of the immense white-headed man who preceded him, whose infirmities were such that he could scarcely walk. We have had a lad in charge of the ferry-boat, with eight boys under his care, from seven in the morning until ten at night. A few days after his responsibility ceased, by the return of the appropriate officer, he ran away. This case does not prove that it would be better to have no restraint, and place at all times all upon honor, it would be too severe a strain upon them, and the motive would be inoperative with new-comers. The lad referred to was soon brought back to the restraints of the Refuge; his manliness was again rallied; he was fairly started soon after in an honorable business, and is now an honest married citizen of a New England State. In the family institution in Hamburg, Germany, which is thought

to be the model home of reform, although it has very vicious inmates, none are sent by law or retained by warrant—they come and remain voluntarily. They are schooled and taught at some trade for an average period of five years, and are then placed in good positions in the city, where they are visited *weekly* by the devoted head of the Rauho Haus, or one of the missionary brothers. It is this thorough establishment in regular life that confirms and renders permanent the counsels and discipline of this celebrated school of reform. The experiment of our House for the last year or two, in thus perpetuating its own work, in the instance of lads that from personal weaknesses, or from the social influences that will certainly meet them, will become the helpless victims of a vicious or criminal life, and probably revolve through their career between a dangerous course in the streets and the cells of a penitentiary, as presented in the Superintendent's Report, has been particularly encouraging. Boys that have been several times heretofore returned to the Refuge after their discharge by the courts, and who have even served terms in the prison, are now working regularly, as free laborers, in the Institution shops, employed by the contractor at good wages, or are known to be working at their trade in other establishments in the city and vicinity. It is this bridge over the gulf between the restraints and wholesome influences of the Refuge and a fixed plan of life that has usually proved the most dangerous passage in the career of these young people whose reform we are seeking. The effect of this opportunity to secure a remunerative trade, a sum of money adequate to fit them out handsomely with clothing, enough to pay their board awhile in advance, and a place of constant employment after their discharge where they can earn from eight to fifteen dollars a week, is remarkable. Boys that have been irritable and restive as to their discharge, plying their friends with appeals to secure this for them, now resist the importunities of their families to come to them, preferring to remain nine months longer than they otherwise would in order to secure this great boon. One of the best and most reliable workmen in a down-town shoe establishment two years since was a sullen, discontented, violent fellow, of whom neither his friends, nor the officers in the Refuge, had much hope. The inspiration of a good trade with positive pay reached him, and lo! the transformation. There is not a manlier fellow fills the place of a miserable departed father, uniting the family and building up its broken down fortunes, and the staff of his widowed mother, than this apparently permanently reformed young man. One of the officers of the Young Mens' Christian Association of the city remarked to the writer while he was preparing this Report, that the religious exercises of no member of the Association affected him more than those of one but lately an inmate of the House, and now one of the journeymen employed in the shop. They were so frank and sincere, so earnest and original, that they touched him to tears, he said, whenever he listened to them. He was a friendless lad, of more than ordinary ability, but apparently destined to a criminal life. It was discouraging enough to know that he had left his place without honor, and to see him returned to the Refuge after some months had elapsed from his

discharge, with occasion enough for him to be submitted again to its discipline. He became a capital workman, was particularly anxious not to have his boarding place among the strong temptations of the lower part of the city, and is now accumulating a handsome sum from his earnings. He is regular in his attendance upon the house of God, and is noticeably efficient in introducing young men of his age to the opportunities and good influences of the Christian Association.

A wedding is not one of the most frequent services performed by the Chaplain, for his flock is not in marriageable circumstances as to age and social condition; but a few weeks since we had a very pleasant sensation of this kind under the shadow of the Refuge. One of those young men who, from the lowest rounds in the social ladder has availed himself of the industrial opportunities of the House, and having justified, by two years of honorable work, and by regular and temperate habits, the trust that had been, after a long probation, reposed in him, was married to a young woman who, during a portion of the same period, had been connected with the Refuge, and with whom he became acquainted after his discharge, in the presence of her brother, who, by personal inquiries, had satisfied himself that the union of the two promised well for both.

These are simply illustrations of interesting incidents now multiplying upon us, and bearing unmistakable testimony to the efficiency of the new movement to rescue mature and peculiarly periled young men. This experiment might be largely extended with little additional expense to the House. The simple erection of another shop, and an equal increase of dormitories, would enable us to save a hundred at a time of the young men now being fearfully demoralized by the short sentences and contaminating influences of the City Work-house and Penitentiary.

We hardly think of any special facility that any other system of discipline could afford us that we have not already in our possession. As to labor, no Institution in the world has a better arranged plan. For education we have the best graded schools, under the most efficient teachers, that a good compensation and an inspiration for usefulness can command. In moral instruction the means are perfect, the only inefficiency is in the man. As to amusements and recreations, almost every manly sport known among youth has its illustration upon our grounds, and through their early completed stints the lads gain, in addition to the generous allotment, from one to two, or more, hours for play. Every public holiday is duly honored, and the resonant peals of a brass-band add their sonorous notes to the enjoyments of these occasions. As to food and sanitary provisions, one of the most accomplished physicians of the city makes these his daily study, and the bills of mortality attest his skill and the marked hygienic condition of the House. The writer is confident that the Refuge was never in a better condition every way—its discipline milder, its *esprit de corps* finer—nor accomplishing a more efficient service for the exposed and criminal children of the State than at present. Respectfully submitted. B. K. PEIRCE.

RANDALL'S ISLAND, Dec. 31, 1870.

REPORT OF THE PHYSICIAN.

To the Managers of the Society for the Reformation of Juvenile Delinquents :

GENTLEMEN: The following Report of the Medical Department of the Refuge for the year 1870 is respectfully submitted:

The whole number of patients requiring hospital treatment in both departments.....	274
Number of deaths among the boys.....	5
“ “ “ girls.....	1
Diseases causing death were as follows:	
Phthisis Pulmonalis.....	2
Tuberculosis.....	1
Hemorrhage of the lungs....	1
Cerebritis.....	1
Peritonitis.....	1
The following deaths occurred during the year:	
In March.....	2
“ April.....	2
“ August.....	1
“ December.....	1

The above statistics show much less sickness and mortality in the Institution than for several years past, due in part to a diminution in the number of inmates, and to the absence, in a degree, of depraved and cachectic children among them. The few that have fallen victims of disease were from this class of children, with two exceptions.

During the past year we have not only been protected from sickness and mortality to a remarkable degree, but have been in the enjoyment of unusually vigorous health.

The inmates of the House are well provided for in every respect, both physically and mentally, having good wholesome food in abundance, and warm clothing to protect them from the cold in its season. They are enjoying the advantages of the excellent discipline, regulations, and instructions—kindly enforced—of the Institution, which are so well adapted to promote their reformation, creating, as they do, cheerful obedience and self-respect, developing capacity, and awakening ambition for higher aims in future life.

They are trained to habits of attention and industry in the schools and workshops, not overtaxed; but are allowed abundant time for the enjoyment of healthful recreation in the open air, thus imparting cheerfulness to the mind and health to the body. All of these advantages, while they

tend to a moral elevation, contribute largely to good health and vigor of body, and very favorably affect the sanitary condition of the Institution.

The inspiring effect throughout the House of the new plan of work arranged by the Superintendent, affording an opportunity for positive and remunerative labor for those who are without friends to provide for them, or have been peculiarly exposed to the bad companionship of the streets, can be readily seen to have necessarily an excellent hygienic influence upon the inmates.

During the month of July the boys in the First Division suffered from purulent ophthalmia, introduced by the admission into the House of a boy not fully recovered from this disease from a neighboring Institution. Prompt and successful means were taken to arrest the disease, and no serious results followed. The Institution is now free from ophthalmia, and had been eighteen months prior to the admission of this inmate.

The present sanitary condition of the House, and the health of its inmates, are exceedingly good, the year closing with the hospital beds unoccupied, affording reason for congratulation and thankfulness.

The Physician of the House, in closing his Second Annual Report, is grateful to be able to say that he knows of no lack in any portion of the department under his responsibility, and that he has no occasion to ask for any changes for sanitary purposes. His requisitions during the year have been generously met, and his efforts fully sustained by the Managers and Officers of the House.

J. L. COLBY, M. D.

HARLEM, *Jan. 1, 1871.*

REPORT OF THE LADIES' COMMITTEE.

In presenting their Annual Report, the Ladies cannot but feel that their labors among the girls have been blessed.

The health of the inmates has been remarkably good; excellent order has prevailed throughout the Institution.

In looking over the past twelve months we can see an improvement in the girls in those things which tend to their usefulness and happiness here, some manifesting a desire to live Christian lives.

On behalf of the Committee,

MARTHA S. FERRIS, *Secretary.*

December 31, 1870.

REPORT OF THE LIBRARIAN.

To the Board of Managers, etc. :

GENTLEMEN : Abundant provision is made in the House for the intellectual recreation and improvement of its officers as well as inmates. Living, as our household does, a somewhat secluded life, and cut off from many of the intellectual and religious opportunities afforded to others in the city, the interesting course of lectures which has been provided this season, and which has administered alike to the pleasure and profit of adults, as well as the younger portion of the audience, together with the constant additions which have been made to the officers' library, have been highly appreciated. Nearly all the leading religious weeklies, and a large number of secular newspapers, with the best magazines and quarterlies, have been provided during the year for the general reading and entertainment, without expense to the Library Fund, except in a few instances. The papers ultimately reach the hands of the children, and with the generous gifts of Sunday-school and Tract periodicals, and the use of their large school libraries, afford an abundant supply of interesting reading matter for them.

At the annual census taken of the number of books in the library in a readable condition, twelve hundred and sixty-five were found to be in the officers' library. In the school libraries, in the boys' department there were fifteen hundred and eighty-four volumes, and in the girls' nine hundred and twenty-four. After this Report was prepared a considerable addition was made to these statistics by a purchase of books from the library fund.

These books often beguile the inmates from their sports in the yard, especially during inclement weather, and afford a constant means of pleasure and improvement in all hours unoccupied by work, study, or sleep.

Respectfully submitted,

B. K. PEIRCE.

HOUSE OF REFUGE, RANDALL'S ISLAND, Dec. 30, 1870.

REPORT OF THE PRINCIPAL OF SCHOOLS.

To the Board of Managers of the Society for the Reformation of Juvenile Delinquents :

GENTLEMEN: I have the honor respectfully to submit the following statistics, as a Report of the Schools of this Institution, for the year ending on the 31st ultimo.

On the 1st day of last January there were in the schools 667 boys and 106 girls. Since then 430 boys and 92 girls have been received, making the total number taught during the year..... 1,295
The average daily attendance was..... 672

Of those received,

261 boys entered the First Division,
169 " " " Second "
70 girls " " First "
22 " " " Second "

and were classified as follows:

IN READING.

		BOYS.		GIRLS.	
		1st Div.	2d Div.	1st Div.	2d Div.
Commencing	Alphabet.....	26	4	11	0
"	Primer.....	91	48	32	11
"	1st Reader.....	49	46	0	0
"	2d "	32	30	16	0
"	3d "	39	23	10	5
"	4th "	15	11	0	5
"	5th "	9	7	1	1
Totals.....		261	169	70	22

IN ARITHMETIC.

Commencing	Addition.....	166	52	43	11
"	Subtraction.....	0	12	0	0
"	Multiplication.....	32	34	16	5
"	Division.....	39	30	10	5
"	Denominate Numbers..	15	23	0	1
"	Common Fractions.....	3	11	1	0
"	Decimal "	3	3	0	0
"	Interest, etc.....	3	4	0	0
Totals.....		261	169	70	22

PROMOTIONS DURING THE YEAR.

IN READING.

	BOYS.		GIRLS.	
	1st Div.	2d Div.	1st Div.	2d Div.
To 1st Reader	102	44	16	0
" 2d "	140	82	13	3
" 3d "	144	52	32	0
" 4th "	102	42	17	8
" 5th "	58	33	11	12

IN ARITHMETIC.

To Subtraction	110	44	16	3
" Multiplication	140	114	13	0
" Division	144	82	32	8
" Denominate Numbers	102	52	17	12
" Common Fractions	58	42	11	0
" Decimal "	34	46	0	0
" Interest, etc.	37	27	0	0

There are now in the schools 690 children, distributed as follows:—

In First Division, boys	339
" Second " "	261
" First " girls	70
" Second " "	20

PRESENT STANDING.

IN READING.

	BOYS.		GIRLS.	
	1st Div.	2d Div.	1st Div.	2d Div.
In Primer	48	29	24	5
" 1st Reader	58	43	13	0
" 2d "	67	63	5	3
" 3d "	60	51	16	5
" 4th "	65	36	6	3
" 5th "	41	39	6	4
Totals	339	261	70	20

IN ARITHMETIC.

In Addition	76	29	24	5
" Subtraction	30	10	13	3
" Multiplication	67	33	5	5
" Division	60	63	16	3
" Denominate Numbers	65	51	6	4
" Common Fractions	20	36	6	0
" Decimal "	8	19	0	0
" Interest, etc.	13	20	0	0
Totals	339	261	70	20

In Mental Arithmetic	166	126	28	0
" Geography	106	126	12	4
" Writing on slates	106	29	37	8
" " in books	233	232	33	12

DISCHARGES.

Whole number discharged during the year.....	605
Boys from First Division.....	284
“ “ Second “	213
Girls “ First “	62
“ “ Second “	46

STANDING WHEN DISCHARGED.

IN READING.

	BOYS.		GIRLS.	
	1st Div.	2d Div.	1st Div.	2d Div.
In Primer.....	2	13	1	0
“ 1st Reader.....	40	7	7	0
“ 2d “	21	68	7	3
“ 3d “	107	45	26	18
“ 4th “	62	41	15	14
“ 5th “	52	39	6	11
Totals.....	284	213	62	46

IN ARITHMETIC.

In Addition.....	20	13	1	0
“ Subtraction.....	22	0	7	3
“ Multiplication.....	21	7	7	18
“ Division.....	107	68	26	14
“ Denominate Numbers.....	62	45	15	4
“ Common Fractions.....	15	41	3	0
“ Decimal Fractions.....	18	19	0	2
“ Interest, etc.....	19	20	3	5
Totals.....	284	213	62	46
In Mental Arithmetic.....	221	125	47	0
“ Geography.....	114	125	21	12
Writing in books.....	242	200	54	43
“ on slates.....	42	13	8	3

Above, Gentlemen, you have the results, as far as a tabular statement can convey them, of our work for the past twelve months. Our Reports being often perused by strangers, who have very erroneous conceptions of the design of the Institution, it may not be out of place to recur briefly to the object of, and the plan followed in the organization of our schools, which were designed to play so large a part in the benevolent operations of your Society.

Bearing in mind that the House was not organized for *good* children, there will be no surprise occasioned when attention is called to the fact that nineteen twentieths of those received are profoundly ignorant, having so long run riot in vice, or been so entirely neglected by the virtuous, that when they come to us their mental faculties are in a worse than primitive condition—in many cases so permeated with the reminiscences of their past lives as at first glance to suggest the hopelessness of a successful

effort to implant in them any useful information. Remembering, also, that it was not contemplated to retain the children in the House for any long period of time, (their average stay being about fifteen months,) any extended curriculum of studies was out of the question, and as much as could possibly be expected was to give them a thorough drilling in arithmetic, reading, and writing; and, if possible, impart some geographical knowledge. In order that no child should leave the Refuge without a certain amount of instruction, (unless, indeed, it might be in the case of those of idiotic minds, and of whom, alas! too many are palmed off on the House,) it was ordered that no child should be eligible to a discharge who had not passed the third class in school, which would insure a knowledge of the ground rules of arithmetic, and ability to read and write. A reference to the tables will show that few children are received who do not enter the lowest or primer class, and I am sure the fact that in little more than a year we are able to discharge these children provided with a foundation on which to build an education, if they have ambition enough to work for it, need occasion no mortification when contrasting our results with those obtained in any of our public schools. Where sufficient time is given, very many of the children are able to gain a thorough insight into commercial arithmetic; and when the new shop is fully in operation, it is in contemplation to have an advanced class in which the boys will have the benefit of a much more extensive course than we are now able to give them, embracing grammar, book-keeping, history, and some acquaintance with the Physical Forces.

Of course, with our class of children, order and obedience are prerequisites to any success in the school-room, and our system of discipline, mild and kind as it is, is admirably calculated to insure these desired ends if it be efficiently carried out. When the child is received into the school he is thoroughly gauged, and in classifying him every care is taken to make his task come *within* his mental range, so that he has no difficulty in getting a fair start. His capacity, by careful inquiry and experiment having been ascertained, he is thenceforward required to master his lessons, sickness being the only excuse taken for a failure so to do. No matter what class the boy is in, he cannot be discharged unless his badge (that is, his grade—see in Appendix the Rules for the enforcement of Discipline) is right, and as neglect of his lessons entails on him a bad badge, he has a very powerful incentive to attend to his work, and thus avoid a resort to harsher remedies. It is surprising to see how readily boys who, previous to their commitment to the House, may have been vicious street loafers or village pests, come down to our regulations, and present in school a stereotyped appearance of order and propriety. It takes them but a short time to get their bearing, and self-interest invariably prompts them to take the right course.

Whatever of success has been accomplished since our last Report is principally due to the labors of the class instructors, whose devotion to their work has been worthy of all commendation. It is their special prerogative to first bring the attrition of patience, tact, and energy to bear on the crude and oftentimes vitiated intellects of their pupils, and it is not too

much to say, that in the attempted rescue of these "brands from the burning," their efforts are deserving of more than a passing notice.

During the year it has been our lot to part company with a number of our associates. Mr. Chaloner, first male assistant; Miss Saunders, second assistant First Division, boys' school; Miss Mollan, first assistant in charge of Second Division, girls' school; Mr. Deady, Vice-Principal; Miss Harris, first assistant in charge of First Division, girls' school, and Miss Blashfield, second assistant First Division, girls' school, have in succession retired. With the exceptions of Mr. Chaloner and Miss Blashfield, they had been connected with the schools many years, and I need not say that it gives me great pleasure to bear testimony to their faithfulness and efficiency while with us, and that they take away with them the heartiest good wishes of their remaining associates. To Mr. Deady especially I would tender my acknowledgments. While, as a teacher, I regret that the legal profession should absorb a good instructor, as a friend I am happy in the assurance that what is our loss will eventually prove his gain.

The gentlemen of the School Committee have placed us under great obligations for their assistance and sympathy. On behalf of the teachers and children I thank them for their deep interest in our mutual success. In the long future before us, I am certain they will not regret the time they have spent in listening to the humble recitations in the class rooms of the House of Refuge. Your obedient servant,

SAMUEL M. SPROLE, *Principal of Schools.*

January 1, 1871.



EXTRACTS FROM THE DAILY JOURNAL.



January 1, 1870.

We open the New Year with 773 inmates—667 boys and 106 girls. It being a holiday the children enjoyed it in the usual sports on the yard during the day, and in the evening some of the older boys got up a comic entertainment in the school, which furnished amusement for all. There is no sick in either department, and all are able to enjoy the day. As usual on such occasions, many of the former inmates are with us.

January 20.

J. S— was this afternoon permitted to go to his home in Brooklyn, to remain until Monday, his presence being required in some matters pertaining to his father's estate.

January 24.

J. S—— returned this afternoon according to promise.

February 2.

F. S—— called to-day to consult about his freedom suit and money; his master, whom he has served faithfully, refusing to settle. Francis is an enterprising young man and master of his business, and we predict a good future for him. His complaint will receive prompt attention.

February 14.

John G——, an enterprising young mechanic, called to-day. He has been out of his time three years, and is now at work in the city. He has a good reputation.

February 16.

Rose C—— and N. L—— called this afternoon, and will remain through the night. They have served their time and come to us well recommended by the families with whom they have lived. They will go to their friends to-morrow.

February 22.

Hon. W. C. Bergen, member of the Legislature from New York, accompanied by Mr. Floyd, of the Herring Safe Manufacturing Company, and Mr. Balmore, of the Harlem Gas-light Company, called to-day by invitation of Messrs. Strong and Halsted, who were present to explain the workings of the Institution.

March 4.

Dr. Griseom, of New York, lectured before the boys this evening on the laws of health, and made several experiments, by way of illustration, of the danger of breathing impure air, and of the necessity of good ventilation. At the close of the lecture the boys thanked the doctor for his interest in them, and invited him to come again.

March 12.

George F—— was indentured to James T——, of New Jersey, to serve three years at the farming business. The master in this case was an inmate fourteen years ago, and was himself indentured to the same business. He was faithful and prudent with his earnings, and has accumulated enough to buy a farm, and he is now well established in business. He brings a recommendation from his old master.

Charles S—— called to-day with his master to settle in regard to his freedom money. His master is about to leave the State, and wants Charles either to go with him or find another place. Charles prefers either to serve his time with his master, according to the indentures, or to receive the money that would come to him now, and have the indentures canceled. After some hesitation the master consented to pay the money now and be released from the indentures, and both left well satisfied with the terms.

Charles is a fine young man in his twenty-first year, and has a good reputation in the neighborhood.

March 18.

David M—— was brought back in charge of Constable T——, of H——, L. I. David was dissatisfied with his place, and left because he was abused. The master caused his arrest and return to the Refuge. He seems a well-disposed boy, and we shall have no difficulty in finding him another place. David was not aware, until he arrived at the Refuge, that the constable who returned him had been himself an inmate of the Institution, but is now married and well established in the town where he served his time.

March 25.

The quarterly examination of the Second Divison, boys' school, was held this evening by the School Committee, Messrs. Halsted and M'Martin, and was pronounced by them as entirely satisfactory.

April 5.

Charles M—— came on a visit yesterday and remained through the night. He is of age, and is on his way to R——, where his family resides, and where he expects to join his father in business. He has kept a good record since he left the Refuge, and brings with him a good recommendation from his employer.

April 7.

Cornelius O'C—— called to see if he could get help to get a situation. He has been out of employment for a long time, and is in debt for board. He seems to want to take care of himself if he can only get a start. We furnished him with a set of burnishing tools, and secured a place for him to go to work on Monday.

April 8.

Mr. Jones, Assistant Superintendent of Schools, was present this evening, and addressed the boys on the Life and Character of Franklin. The favor was gratefully acknowledged by the boys, and a unanimous vote of thanks was bestowed at the close, with an invitation to favor them again.

May 7.

Louise B—— came to the House and will remain through the night. She has done well and now expects soon to be married to Frederick ——, a former inmate, and a good fellow. Mary D—— came to-day and will remain a few days. She is out of her time, and brings a good recommendation from her mistress.

May 11.

Brother Teliow, of the Roman Catholic Protectory, and Brother Stevens, of New York, called this evening to make arrangements to transfer an unruly boy from the Protectory to the Refuge.

June 3.

Hons. Messrs. C. B. Walker, of Corning, F. H. Atkinson and S. T. Arnott, of Elmira, A. H. Miller, of Owego, and General Pillsbury, of the Albany Penitentiary, Commissioners appointed by the Governor to prepare plans for a Reformatory Prison to be located at Elmira, visited the House this morning.

June 26.

We were to-day favored with a call from Dr. S. S. Cutter, F. H. Rankins, and Judge C. J. Walker, Commissioners appointed by the Legislature of Michigan to visit the Penal and Reformatory Institutions in the United States, with a view of gaining a knowledge of the various systems of discipline, and to report the result of their inquiries to the Legislature, with such recommendations as they think proper in connection with the establishment of a reformatory system in their own State.

July 4.

The usual customs were observed. In the morning the children were assembled in the Chapel to hear the Declaration of Independence read, and to listen to addresses by Revs. Messrs. Steele and Manderville, of Harlem, and others. The singing by the children, under Miss Stockwell, was equal to any former occasion. The afternoon was spent in sports upon the yards.

August 20.

John G—— called this morning. He enlisted in 1861, but served only a short time. He soon after engaged at farming, and after awhile was able to purchase a little place, where he still resides. He is evidently an honest man. Mary J. P—— called to-day with her husband. They are a respectable people, and the future looks bright for them. Mary has had troubles, but she has overcome them all. Her husband is an honest, prudent man.

September 16.

Hon. and Rev. I. S. Diehl favored the boys with a lecture on Oriental Life and Customs. It was highly entertaining and instructive, and was listened to with the closest attention. At the close a vote of thanks was tendered the lecturer, and a request made for him to come again.

September 20.

Messrs. Myers, Wines, and Fencer, Commissioners appointed by the Legislature to inquire into the relations of free and prison labor, visited the House this afternoon by appointment, and examined the President, O. S. Strong, Esq., the Chaplain, and the Superintendent, as to the effect of the contract system in the Institution. Messrs. Strong, Atterbury, and Pritchard, of the Board of Managers, were present during the examination.

October 11.

The children assembled in the Chapel this evening to listen to a lecture from Rev. Dr. Hall, of New York, on "True Manhood." Messrs. Halsted,

M'Martin, and Herder, of the Board of Managers, were present during the evening, and a large number of visitors.

November 19.

Peter L——, who has been several months learning the cutting trade, was discharged this evening with the view of continuing work in the shop as a journeyman. He has supplied himself with comfortable clothing, and has several dollars left, which he will give to his mother, who is in destitute circumstances.

November 24.

This day having been set apart by the authorities for Thanksgiving, the usual services were observed. Messrs. Atterbury and Herder, of the Board of Managers, and Messrs. Bishop and Hoyt, of the State Board of Charities, called during the day.

November 25.

Rev. Mr. Mingins, of the City Missions, favored the children with a lecture—subject, “A Trip to California.” If Mr. Mingins should meet with disappointment elsewhere, he will never fail of being “loudly” received at the Refuge.

December 3.

Mr. Philip Phillips favored the children with an hour of song in the Chapel, for which he received a hearty vote of thanks, all they had to bestow.

December 7.

The State Commission on Free and Prison Labor, Messrs. Myers, Wines, and Fencer, met at the House this afternoon to hear additional testimony.

December 13.

Rev. Mr. Street, of New York, gave the children a lecture this evening in the Chapel on “Combateness.” The lecturer gave many illustrations of the good and bad use of this “bump,” greatly to the pleasure and profit of the children.



PLAN OF WORK

FOR DESERVING BOYS IN THE HOUSE OF REFUGE, RANDALL'S ISLAND, N. Y.



At a meeting of the Board of Managers, held November 4, 1870, with the concurrence of J. O. Whitehouse, Esq., contractor, the following plan of work for the aid and encouragement of the boys in the House of Refuge was adopted, and referred to the Executive Committee, with power to carry it into effect:

1. Sufficient shop room will be set apart, separate from the other boys, to accommodate not to exceed fifty, and the requisite number of instructors to carry on the bottoming and finishing of shoes.

2. The class of work in this shop is to be of finer quality, requiring greater skill and better workmanship than in the other shops.

3. The instructors are to be qualified to give thorough instruction in the several branches of the business, with the view of imparting to the boys skill and knowledge sufficient to enable them to become first-class workmen.

4. The requisite qualifications for a boy to enter this shop are, first, a good grade of conduct; second, advancement in the school to, at least, the third class; third, a service in the shop, of at least nine months; fourth, an aptness for, and a desire to learn the trade.

5. The conditions are, first, to serve three months in the department without extra pay; second, for the next three months each boy to receive wages from the contractor, in addition to the rate paid to the Institution, to the amount of three dollars per week; third, for the next three months an advance of two dollars per week on the previous wages.

6. Work damaged by a boy through carelessness or neglect, after the first three months, is to be paid for from his earnings, to an amount not to exceed one half of the actual damage.

7. After six months' service in this department the boys may have a separate table in the dining-room, and may draw not to exceed one quarter of their week's pay, either for the purpose of furnishing themselves additional food, clothing, books, or for other proper articles calculated to promote their comfort and improvement; or they may use it to aid needy friends, as they may elect. They may also have a reading-room set apart for their use, furnished with books, papers, and proper games, and the privilege of remaining up one hour after the other boys have retired.

8. During the last six months those boys who have reached the fourth class may have, in addition to their other studies, instruction in book-keeping, English grammar, and history.

9. For gross violations of the rules of the House, such as using profane or indecent language, fighting, malicious mischief, impudence to officers or instructors in the school or shop, or for unbecoming manners, the penalty shall be, during the first three months, for the first offense, the loss of grade; for the second, dismissal from the department. During the next six months the penalty shall be, for the first offence, the forfeiture of one half the week's pay; for the second, a dismissal from the department and a forfeiture of all earnings standing to the boy's credit.

10. On the completion of the nine months each boy will receive an honorable discharge, a certificate of character while in the House, and the balance of earnings standing to his credit.

11. Good workmen graduating from this department will have an opportunity, if they desire it, to be employed in the shop as journeymen or instructors at regular wages.

RULES FOR OFFICER IN CHARGE OF THE SHOP.

RULE 1. He must see that the rules and regulations are observed by all persons employed therein.

RULE 2. He must devote his whole time and attention, during working hours, to the supervision of the shop, and see that no imposition is practiced upon the inmates.

RULE 3. He must not absent himself from his post except when absolutely necessary, and then for the shortest possible time.

RULE 4. He must, by his counsel and presence, encourage and stimulate the inmates to faithfulness and obedience, and, as far as he is able by his influence, promote good feeling between them and their overseers.

RULE 5. After the Foreman has left for the night he must examine every part of the shop to see that the fires are extinguished, that the tools are deposited in their proper places, and that all windows and doors are properly secured. If he finds any neglect on the part of the Foreman, he will report it immediately to the Superintendent.

RULE 6. He will inform the Assistant Superintendent (in his absence, the Superintendent) of all matters pertaining to the work, discipline, and rules of the shop in his knowledge, daily; and oftener if necessary, that this officer may be fully acquainted with all affairs in the shop.

RULES FOR THE FOREMAN.

RULE 1. He must require strict obedience on the part of persons in his charge to all the rules in the shop.

RULE 2. He must keep a careful supervision over the fires during the day, and before leaving for the night must cause them to be extinguished, and all inflammable material to be removed from about the stoves.

RULE 3. He must cause the shops to be kept clean, and the benches in good order. Before leaving for the night, he must satisfy himself that all tools and every thing about the shop are safe, when he must lock the door and give the key to the officer in charge.

RULE 4. He will report all cases of delinquency on the part of the inmates coming to his knowledge through the overseers or otherwise, in all matters pertaining to the shop, to the officer in charge.

RULES FOR WORKMEN.

RULE 1. Workmen must not give presents to or receive them from the inmates, nor carry letters or messages to or from their friends.

RULE 2. They must not smoke while on the premises, nor give tobacco to the inmates, nor leave it exposed where they may get it.

RULE 3. Matches must not be brought upon the premises.

RULE 4. Profane or otherwise unbecoming language is not permitted. A violation of this rule will subject the offending person to instant dismissal.

RULE 5. Overseers and instructors are required to be at their posts when the inmates enter the shop, and to remain in charge until they are dismissed. They must give necessary instruction to the inmates that they may know how to do their work well; and see that they are attentive, diligent, and obedient to the Rules. Cases of negligence, carelessness, or disobedience are to be reported to the Foreman, and by him to the officer in charge of the shop.

RULE 6. They are responsible for the care and safety of all tools used by boys under their charge.

RULE 7. Workmen, not overseers of inmates, are not permitted to have intercourse with them; and their example, as well as that of all others, in the presence of the inmates, must be such as to exert no unfavorable influence as to their reformation.

RULE 8. All persons employed in the shops (except those personally known to the Superintendent, or vouched for by the Foreman) must bring satisfactory reference.

RULES FOR TASKS.

RULE 1. No task shall be imposed except by the Assistant Superintendent, and not by him until satisfied, by personal examination, of the ability of the inmate to perform it.

RULE 2. No task shall be imposed beyond the maximum agreed upon by the Superintendent and the Contractor.

RULE 3. No additional work to the task imposed shall be required of any inmate unless permitted by the Superintendent.

RULE 4. A record of tasks imposed, with date, and all failures on the part of the inmates to do the work, must be kept by the officer in charge of the shop.

RULE 5. When the task is done and the bench put in order, the inmate may receive a ticket of leave from the shop (after 2 o'clock) for the remainder of the day, and be dismissed by the officer in charge to the yard; except when in grade 4, or under special discipline, when he is to remain in the shop (at work if practicable) the whole number of hours allotted to work.

RULES OF THE NEW YORK HOUSE OF REFUGE.

GENERAL RULES.

1. TELL NO LIES.
2. ALWAYS DO THE BEST YOU CAN.

RULES FOR THE ENFORCEMENT OF DISCIPLINE.

I. The boys and girls are divided into four grades, according to conduct.

GRADE 1 includes the best behaved and most orderly boys and girls; those who do not lie nor use profane language; who are neat and tidy in their persons and cleanly in their habits; who do not willfully or carelessly waste, injure, or destroy property belonging to the House, and who are always respectful to the officers.

GRADE 2 embraces those who are fair in conduct, but not entirely free from the faults mentioned above.

GRADE 3 consists of those whose conduct is not so good as those in Grade 2. The first grade of a boy is always 3.

GRADE 4 is the lowest, and one of disgrace; it is only given in cases of continued or gross misconduct. A former inmate, returned for fault, is placed in Grade 4.

II. For violation of rules, boys and girls are degraded from 1 to 2, from 2 to 3, and from 3 to 4; for improvement in conduct they are raised in grade from 4 to 3, and from 3 to 2, and 2 to 1. Any boy or girl continuing for thirteen weeks in succession in Grade 1 is advanced to the Class of Honor, and wears an appropriate badge.

III. The grades are determined every Saturday evening, in the presence of the whole Division, according to the marks made during the week.

IV. Five marks lower the grade one step; four leave it the same as the previous week; less than four are forgiven.

V. In the Second Division, punishment with the strap degrades to 4; except when the subject is in the Class of Honor, in which case it degrades to 2.

VI. Boys and girls gain their release from the Refuge by retaining Grade 1 for fifty-two weeks in succession, and by attaining to the highest class in school; and they are discharged from the House when a proper place is provided for them.

VII. No applications from parents or friends of children will be entertained by the Indenturing Committee until the inmate applied for shall have been in Grade 1 at least six weeks next preceeding the time of application, and shall have reached at least the third class in school.

VIII. When an inmate has been degraded to 4, an addition of two weeks' continuance in Grade 1, required by the foregoing rule, will be made before an application for discharge can be heard; and one week more is added for every other grade of 4 received.

IX. Grades can be changed only by the Assistant Superintendent, in case of boys, and by the Matron in case of girls, for offenses committed out of school; and by the Principal for offenses occurring in school.

X. Any officer in charge of boys or girls may give, for disorderly conduct, not to exceed two marks during any one week, provided the marks given, added to those already imposed by others during the same week, do not exceed four.

XI. Before any marks are given the boy or girl must be required to tell the number of marks already received, and the statement must be taken and noted.

XII. In case an inmate makes a false statement, which will be discovered at "Badge call," the offender shall be degraded at least two grades, or may be punished according to the discretion of the officer in charge. In the latter case the grade will be 4.

XIII. When the aggregate marks for the week amount to four, and other offenses are counted, the boys out of school must be reported to the Assistant Superintendent and the girls to the Matron; and all cases in school, either boys or girls, must be reported to the Principal. After a report is made to the Assistant Superintendent, Matron, or Principal, no marks can be altered or canceled except by their approval; nor can these officers cancel any marks legitimately given by the subordinate officers previous to the report.

XIV. When the grade is determined at the calling of the badges at the close of the week, it cannot be changed except by the consent of the Superintendent.

RULES FOR VISITORS.

FRIENDS are not permitted to see the children on Indenturing Committee days, or on Sundays.

FRIENDS are not permitted to give money or tobacco to the children.

ALL PACKAGES left for the children must be examined by the officer or teacher in charge before they are delivered.

VIOLATIONS of these Rules by friends will exclude them from visiting their children.

DESCRIPTION OF THE BUILDINGS.

THE House of Refuge is located on the easterly bank of the Harlem River, on Randall's Island, and directly opposite that portion of the city of New York which is included between One Hundred and Fifteenth and One Hundred and Twentieth streets. The buildings are of brick, erected in the Italian style. The two principal structures front the river, and form a façade nearly a thousand feet in length. The line of their fronts is exactly parallel with the city avenues. The larger of the two buildings is for the accommodation of the boys' department, the other for the girls'. Other buildings are located in the rear of these, and are inclosed by a stone-wall twenty feet high. A division wall, of like height, separates the grounds of the boys' department from that of the girls', and in each department walls separate the inmates into two divisions.

The boys' house is nearly six hundred feet long. The dome-surmounted portions are devoted to the use of the officers; the central mass also contains the chapel; while the extreme portions contain the hospitals and lavatories. There are six hundred and thirty-six dormitories, five feet by seven, and seven feet high, in the portion between the center and the end buildings. In the rear is the school and dining-hall building, seventy by one hundred and thirty-eight feet. A central brick wall divides the building in each story into two equal parts, one for each division. The lower story is appropriated to dining-rooms and the upper story to school-rooms. In the rear of the school building are the kitchen and bakery, occupying a space twenty-five by ninety feet. The workshops are at the northerly and southerly extremities of the yard, and are each thirty by one hundred feet, and three stories high.

The girls' house is two hundred and fifty feet long, the central portion of which contains the apartments of the matron, assistants, and female teachers, while the wings contain two hundred and fifty dormitories for the inmates. In the rear, connected by two corridors or covered halls, is a building for school-rooms and dining-halls, the hospitals, sewing-rooms, and lavatories being at each end, with the laundry in the rear.

The whole establishment is supplied with Croton water, brought across the Harlem River in a three and one quarter inch lead pipe. Tanks are in the attics of the principal buildings, and a reservoir of one hundred feet diameter, located beyond the inclosure, affords a reserve for extraordinary occasions, as well as a plentiful supply of ice in the winter.

C I R C U L A R .

SOCIETY FOR THE REFORMATION OF JUVENILE DELINQUENTS, HOUSE OF REFUGE, RANDALL'S ISLAND, NEW YORK.

THE Managers of the Society for the Reformation of Juvenile Delinquents in the City of New York hereby give notice that the House of Refuge on Randall's Island, under their charge, has provision for 750 boys and 250 girls, the buildings for each sex being entirely separate and distinct.

This notice is sent throughout the State in order that the authorities of the counties at a distance from the city may be informed of the ample provision thus afforded by the well-judged liberality of the Legislature for the reformation of the youthful offender, whether male or female.

The House of Refuge of Western New York, located at Rochester, receives boys only, no department for girls having been organized therein; the New York House is prepared to receive girls of sixteen years of age or under when properly committed from any county in the State.

Under the law of the State now regulating the commitment of juvenile offenders to the two Houses of Refuge for reformation, the New York House receives boys from the following counties, namely: City and County of New York, counties of Richmond, Suffolk, Queens, Kings, Westchester, Orange, Rockland, Putnam, Dutchess, Columbia, Sullivan, Ulster, Greene, Albany, Schoharie, and Rensselaer, and girls from all parts of the State; while the Rochester House receives boys only from the other counties not named above, being those comprised in the Fourth, Fifth, Sixth, Seventh, and Eighth Judicial Districts.

The Managers having been informed that the expense of sending culprits from the more remote counties, under a former law, has been onerous upon them, call attention to the following law, passed April 12, 1859:

"AN ACT empowering the Boards of Supervisors in the respective counties of this State to fix and determine the compensation to be allowed for the conveyance of Juvenile Delinquents to Houses of Refuge, and Insane Criminals to Insane Asylums.

"SECTION 1. The Boards of Supervisors in the respective counties of this State are hereby empowered, and it shall be their duty, annually, to fix and determine the compensation to be allowed and paid to officers for the conveyance of juvenile delinquents to the Houses of Refuge, and of lunatics to the Insane Asylums; and no other or greater amount than that so fixed and determined shall be allowed and paid for such service.

"SEC. 2. Repeals conflicting laws.

"SEC. 3. Takes effect immediately. (Page 553, Laws, 82d Section, 1859.)

"In order that committing magistrates may understand fully the provisions of law under which children are committed to the House, they are referred to the following laws, which are to be found among the Acts of the Legislature passed in the years respectively named."

AN ACT to incorporate the Society for the Reformation of Juvenile Delinquents in the City of New York.

Passed March 29, 1824.

Whereas, By the petition of several inhabitants of the city of New York, it is represented that they are desirous of establishing a Society and House of Refuge for the Reformation of Juvenile Delinquents in the said city, and have prayed to be incorporated; therefore,

I. *Be it enacted by the People of the State of New York, represented in Senate and Assembly*, That all such persons as now are, or hereafter shall become, subscribers to the said association pursuant to the by-laws thereof, shall be, and hereby are, constituted a body corporate and politic, by the name of "THE MANAGERS OF THE SOCIETY FOR THE REFORMATION OF JUVENILE DELINQUENTS IN THE CITY OF NEW YORK," and by that name they shall have perpetual succession, and be in law capable of suing and being sued, defending and being defended, in all courts and places, and in all manner of actions and causes whatsoever; and may have a common seal, and change the same at their pleasure; and shall be capable in law, by that name and style, of purchasing, building, and conveying any estate, real or personal, for the use of said corporation: *Provided*, that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purposes than those for which this incorporation is formed.

II. *And be it further enacted*, That the estate and concerns of the said corporation shall be conducted by a Board of thirty Managers, to be elected by a plurality of ballots of the members resident in the city of New York, being subscribers as aforesaid, and present at such election yearly, on the third Monday in November, at such place in the said city, and at such time of the day, as the Board of Managers may from time to time appoint, and of which public notice shall be given; and if any vacancy shall occur by the resignation, removal, or otherwise, of any one of the said board, the same shall be filled for the remainder of the year, by such person or persons, being subscribers as aforesaid, as the board for the time being, or a major part of them, shall appoint; and until the election on the third Monday in November, in the year one thousand eight hundred and twenty-five, the following persons shall compose the said Board of Managers, to wit: Cadwallader D. Colden, John Griscom, John Duer, Jonathan M. Wainwright, Isaac Collins, Thomas Eddy, Ansel W. Ives, John T. Irving, John E. Hyde, Cornelius Du Bois, James W. Gerard, Joseph Curtis, John Stearns, Ralph Olmstead, Robert F. Mott, Stephen Allen, Henry I. Wykoff, Samuel Cowdrey, John Targee, Arthur Burtis, Joseph Grinnell, Hugh Maxwell, Henry Mead, Peter

A. Jay, Gilbert Coutant, Cornelius R. Duffie, and James Lovett. *And it is hereby further enacted*, That no manager of the said Society shall receive any compensation for his services.

III. *And be it further enacted*, That if the annual election shall not take place on the stated day for that purpose, the said corporation shall not thereby be dissolved, but the members of said board shall continue in office until a new election, which shall be had at such time and place, and after such notice, as the said board shall prescribe; and in case of an equality of votes for any one or more persons as a member or members of the said Board of Managers, the said board shall determine which of such persons shall be considered as elected, and such person or persons shall take his or their seats, and act accordingly.

IV. *And be it further enacted*, That the said Managers shall have power, in their discretion, to receive and take into the House of Refuge to be established by them all such children as shall be taken up or committed as vagrants, or convicted of criminal offenses in the said city, as may, in the judgment of the Court of General Sessions of the Peace, or of the Court of Oyer and Terminer, in and for the said city, or of the jury before whom any such offender shall be tried, or of the Police Magistrates, or of the Commissioners of the Almshouse and Bridewell of the said city, be proper objects; and the said Managers shall have power to place the said children committed to their care, during the minority of such children, at such employments, and to cause them to be instructed in such branches of useful knowledge as shall be suitable to their years and capacities; and they shall have power, in their discretion, to bind out the said children, with their consent, as apprentices or servants, during their minority, to such persons and at such places, to learn such proper trades and employments, as in their judgment will be most for the reformation and amendment, and the future benefit and advantage, of such children: *Provided*, that the charge and power of the said Managers upon and over the said children shall not extend, in the case of females, beyond the age of eighteen years.

[See addition to this section by Act of April 10, 1860.]

V. *And be it further enacted*, That all and singular the clauses and provisions in the Act entitled "An Act concerning Apprentices and Servants," relating to the covenants to be inserted in the indentures of apprentices and servants, made by the Overseers of the Poor, and the provisions of the sixth, ninth, tenth, eleventh, twelfth, and thirteenth sections of the last-mentioned act, shall apply to the apprentices and servants, and the persons to whom they may be bound, under and by virtue of this Act.

VI. *And be it further enacted*, That the said Managers, under this Act, may from time to time make by-laws, ordinances, and regulations relative to the management and disposition of the estate and concerns of the said corporation, and management, government, instruction, discipline, employment, and disposition of the said children while in the said House of Refuge, or under their care, not contrary to law, as they may deem proper, and may appoint such officers, agents, and servants as they may deem necessary to

transact the business of the said corporation, and may designate their duties; and, further, That the said Managers shall make an annual report to the Legislature, and to the Corporation of the city of New York, of the number of children received by them into the said House of Refuge, the disposition which shall be made of the said children, by instructing or employing them in the said House of Refuge, or by binding them out as apprentices or servants; the receipts and expenditures of said Managers, and generally all such facts and particulars as may tend to exhibit the effects, whether advantageous or otherwise, of the said association.

VII. *And be it further enacted*, That this Act shall be, and is hereby, declared a public Act, and that the same shall be construed in all courts and places, benignly and favorably, for every humane and laudable purpose therein contained.

VIII. *And be it further enacted*, That the Legislature may at any time hereafter alter, modify, or repeal this Act.

AN ACT to amend an Act entitled "*An Act to incorporate the Society for the Reformation of Juvenile Delinquents in the City of New York*," passed March 29, 1824, and for other purposes.

Passed January 28, 1826.

SECTION 1. *Be it enacted by the People of the State of New York, represented in Senate and Assembly*, That the Managers of the Society mentioned in the Act hereby amended shall receive and take in the House of Refuge established by them in the city of New York all such children as shall be convicted of criminal offenses in any city or county of this State, and as may, in the judgment of the court before whom any such offender shall be tried, be deemed proper objects; and the powers and duties of the said Managers in relation to the children which they shall receive in virtue of this Act shall be the same in all things as are prescribed and provided by the Act entitled "*An Act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York*," passed March 29, 1824, in respect to children which the said Managers have received, or may receive, in virtue of that Act.

PART OF AN ACT for the better regulation of the County and State-prisons of the State, and consolidating and amending the existing laws in relation thereto.

Passed December 14, 1847.

TITLE II.—OF THE STATE-PRISONS.

ARTICLE III.—Regulations concerning the disposition, treatment, and conduct of prisoners.

SECTION 91.—The agent of each prison, whenever the Inspectors shall so direct by a warrant under their hands, shall convey any convicts who shall be under the age of seventeen years to the House of Refuge in the city of

New York, who shall there be confined according to the rules and regulations of the said House of Refuge; the expenses of such removal shall be the same as allowed to sheriffs for like services, and a charge upon such prison as a part of its ordinary expenses, to be certified by the Inspector.

And further modified by Act passed February 26, 1850, as follows:

AN ACT in relation to Juvenile Delinquents.

Passed February 26, 1850—"three fifths being present."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this Act, it shall be the duty of the several courts having criminal jurisdiction, and who shall hold courts within the limits of the Fourth, Fifth, Sixth, Seventh, and Eighth Judicial Districts of this State, to order all juvenile delinquents by them respectfully sentenced to be removed (and all such delinquents convicted in the First, Second, and Third Judicial Districts shall be ordered by such court to be removed to and confined in the House of Refuge established by the Society for the Reformation of Juvenile Delinquents in the city of New York) to the "Western House of Refuge for Juvenile Delinquents in the city of Rochester."

SEC. 2. All convicts under the age of seventeen years, who shall be confined in the Auburn or Clinton prisons, and who shall hereafter be ordered by the Inspectors of State-prisons to be removed to a House of Refuge, shall be removed to said "Western House of Refuge" in the city of Rochester, under the same regulations and conditions as is contained in the ninety-first, ninety-second, and ninety-third sections of the Act entitled "An Act for the better regulation of the County and State-prisons of this State, and consolidating and amending the existing laws in relation thereto," passed December 14, 1847.

SEC. 3. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

SEC. 4. This Act shall take effect immediately.

II. REV. STAT. 701. CHAPTER 1, TITLE 7, SECTION 17.

SEC. 17. Whenever any person under the age of sixteen years shall be convicted of any felony, the court, instead of sentencing such person to imprisonment in a State-prison, may order that he be removed to and confined in the House of Refuge established by the Society for the Reformation of Juvenile Delinquents in the city of New York, unless notice shall have been received from such Society that there is not room in such House for the reception of further delinquents.

[As amended, Laws of 1840, chap. 100.]

AN ACT in relation to the confinement of Juvenile Offenders under sentences of the Courts of the United States.

Passed July 1, 1853.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be the duty of the respective keepers of the House of Refuge in the city of New York, and the Western House of Refuge, to receive and safely keep in their respective Houses, subject to the regulations and discipline thereof, any criminal under the age of sixteen years convicted of any offense against the United States, sentenced to imprisonment therein by any court of the United States sitting within this State, until such sentence be executed, or until such convict shall be discharged by due course of law; the United States supporting such convict, and paying the expenses attendant upon the execution of such sentence.

SEC. 2. This Act shall take effect immediately.

AN ACT to amend an Act entitled "*An Act to incorporate the Society for the Reformation of Juvenile Delinquents in the City of New York, passed March 29, 1824.*"

Passed April 10, 1860—"three fifths" being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Act entitled "*An Act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York,*" passed March 29, 1824, is hereby amended by adding to the fourth section thereof the following words:

"The Managers of the said Society shall receive into the House of Refuge established by them in the city of New York, whenever they may have room for that purpose, all such children as shall be taken up or committed as vagrants in any city or county of this State, and might now, if convicted of criminal offenses in such city or county, be sent, as directed by law, to said House of Refuge, if, in the judgment of the court or magistrates by whom they shall be committed as vagrants, the aforesaid children shall be deemed proper persons to be sent to said Institution. The powers and duties of the said Managers in relation to the children whom they shall receive in virtue of this Act shall be the same in all things as now provided by law in case of children convicted of criminal offenses and committed to the charge of said Managers."

AN ACT to amend an Act entitled "An Act to incorporate the Society for the Reformation of Juvenile Delinquents in the City of New York," passed March 29, 1824.

Passed March 22, 1865—"three fifths" being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Managers of the Society for the Reformation of Juvenile Delinquents shall, as soon as conveniently may be after the next annual election of the Society, arrange themselves into three classes of ten each, to be determined by lot, to serve respectively one, two, and three years; and at every subsequent election, at the expiration of the terms designated, ten persons shall be chosen as Managers to serve for the term of three years; any vacancy that may occur in any class during the term of service of said class may be filled by the Board of Managers for the unexpired portion of said term.

SEC. 2. The fourth section of the Act entitled "An Act to incorporate the Society for the Reformation of Juvenile Delinquents in the City of New York," passed March 29, 1824, is amended by striking out the following words: "*Provided*, that the charge and power of the said Managers upon and over the said children shall not extend, in the case of females, beyond the age of eighteen years."

SEC. 3. It shall be the duty of all courts and magistrates by whom any juvenile delinquent shall be committed or sent to the House of Refuge in the city of New York to ascertain the age of such delinquent by such proof as may be in their power, and to insert such age in the order of commitment; and the age thus ascertained shall be deemed and taken to be the true age of such delinquent.

SEC. 4. In cases where the age of the delinquent so committed is not so ascertained and inserted in the order of commitment, the said Managers shall, as soon as may be after such delinquent shall be received by them, ascertain the age of such delinquent by such proof as may be in their power, and cause the same to be entered in a book to be designated by them for that purpose; and the age thus ascertained shall be deemed and taken to be the true age of such delinquent.

SEC. 5. All children under the age of sixteen in the several counties which now are or hereafter shall be designated by law as the counties from which juvenile delinquents shall be sent to the House of Refuge in the city of New York, deserting their homes without good or sufficient cause, or keeping company with dissolute or vicious persons against the lawful commands of their fathers, mothers, guardians, or other persons standing in the place of a parent, shall be deemed disorderly children.

SEC. 6. Upon complaint made on oath to any police magistrate or justice of the peace against any child within his county under the age of sixteen by his or her parent or guardian, or other person standing to him or her in place of a parent, as being disorderly, such magistrate or justice shall issue

his warrant for the apprehension of the offender, and cause him or her to be brought before himself, or any other police magistrate or justice of the said county, for examination.

SEC. 7. If such magistrate or justice be satisfied, by competent testimony, that such person is a disorderly child within the description aforesaid, he shall make up and sign a record of conviction thereof, and shall, by warrant under his hand, commit such person to the House of Refuge established by the Managers of the Society for the Reformation of Juvenile Delinquents in the City of New York; and the powers and duties of the said Managers in relation to the said children shall be the same in all things as are prescribed as to other juvenile delinquents received by them; *Provided, however,* that any person committed under this Act shall have the same right of appeal as is now secured by law to persons convicted of criminal offenses; but on any such appeal mere informality in the issuing of any warrant shall not be held to be sufficient cause for granting a discharge.

SEC. 8. This Act shall take effect immediately.

The foregoing Acts contain all the provisions of law which are necessary to the understanding of the powers of magistrates committing, and of the character and condition of those who are proper subjects for the reformatory discipline of the House.

The commitments need only state whether the delinquent be a vagrant, a disorderly child, or a criminal offender, as the case may be; and that, as such, he or she is committed to the House of Refuge in the city of New York, to be there confined in conformity with the provisions of law regulating the same.

The Managers would merely add, that they always restore to their families those of their inmates having good homes or friends who can properly care for them as soon as they give evidence of a desire for a better life, and have gained such self-control as will enable them, under proper guidance, to avoid evil influences and secure a respectable standing in the community.

For those having no legal guardians or friends they find good places in the country, or bind them out as apprentices under indentures, in which all their rights and privileges are most carefully guarded under penalties which the Managers are ever prepared to enforce when these rights are violated.

The House of Refuge is situated on Randall's Island, in the Twelfth Ward of the city of New York, accessible at all times by the horse-cars of the Second and Third Avenue Railroad to One Hundred and Seventeenth-street, from the foot of which, on the Harlem river, there is a ferry to the island.

By Order of the Board of Managers,

OLIVER S. STRONG, *President.*

ANDREW WARNER, *Secretary.*

City Office of House of Refuge, 41 Bible House. Address of Institution,
I. C. JONES, Superintendent, Harlem Post-office, Randall's Island, N. Y.

CIRCULAR TO PARENTS AND GUARDIANS.

SOCIETY FOR THE
REFORMATION OF JUVENILE DELINQUENTS,
HOUSE OF REFUGE, (*Randall's Island*),

187

The Managers of the House of Refuge take this method of informing you that your has been received as an inmate of their Institution, to remain during minority, or until discharged by the Managers or by due process of law.

For your information, the Managers deem it proper to state that the Institution is not a place of punishment, nor a prison, but a Reform School, where the inmates receive such instruction and training as are best adapted to form and perpetuate a virtuous character; to establish habits of industry, and to advance them in those branches of knowledge which are taught in the Common Schools of the State.

They are accordingly provided with a home every way pleasant and comfortable; are furnished with steady employment of a kind to enable them to earn their own support after their discharge; have appropriate seasons of recreation; are well fed and clothed, and, when sick, are attended by the House Physician and carefully nursed; are regularly gathered into school at certain hours on five days of the week, and on the Sabbath are furnished with suitable religious and moral instruction. In order to accomplish the wise ends contemplated by the beneficent provision of the State, the inmates must remain a sufficient time to receive such training and discipline as will serve to reform their evil habits, and to establish in them correct principles and habits of industry. The Managers, therefore, are guided in their decisions as to the term during which inmates shall be retained in the House by their conduct while confined, and, with a due regard to the previous history of the inmate, either prolong or shorten the period of confinement according to the circumstances of greater or less delinquency in each case. Applications for the discharge of inmates are frequently made within a few weeks after their commitment, which, however, cannot be entertained. Only in special cases, the circumstances of which can be stated at the City Office, will applications be received by the Indenturing Committee under twelve months from the date of committal.

Parents, guardians, and other near friends of those children sent from the cities of New York and Brooklyn, are permitted to visit them once in three months, and on their first visit will receive a card designating these periods. Where friends reside at a distance from the city, they will be permitted to

see their children at any time they are in the city, provided their visits are not oftener than once in three months. If unable, from residing at too great a distance, to visit their children, they will be permitted to write to them once within the prescribed period, and to receive letters in return.

In case of the serious illness of any child, the friends will at once be advised of its condition.

The House of Refuge is on Randall's Island, in the Twelfth Ward of the city of New York, and the ferry at the foot of East One Hundred and Seventeenth-street can be reached at all hours, either by the Second or Third Avenue Railroads. The City Office is at No. 41 Bible House, opposite the Cooper Union, and is open between the hours of 9 A. M. and 4 P. M., where the relatives and friends of children can procure information respecting their welfare.

In behalf of the Managers,

OLIVER S. STRONG, *President.*

ANDREW WARNER, *Secretary.*



ANSWER TO THE STATE COMMISSION ON PRISON LABOR, ETC.

December 28, 1870. In Board, December 30, 1870.



To the Honorable M. S. MYERS, E. C. WINES, and THOMAS FENCER, State Commissioners on Prison Labor in its relations to Free Labor, etc.

GENTLEMEN:—The Board of Managers of the House of Refuge most respectfully submit the following answers to your Circular of the 26th September, 1870:

Question 1. Is your Institution a State or a local Institution?

Answer. Our Institution was incorporated by the Act of March 29, 1824, as "The Society for the Reformation of Juvenile Delinquents in the City of New York."

Q. 2. On what system of labor do you work your inmates—that known as the "Contract system," or one on which the labor is managed by the Institution itself?

A. Work is a part of our system for the reformation of our inmates, and some is under the Contract system, and the rest is managed by ourselves.

Q. 3. Are you satisfied with your present labor system? Please state your views fully as to the advantages or disadvantages, financial and moral, which you conceive to result from it?

A. We are well satisfied with our labor system after many years' experi-

ence. That under our management employs the girls in household work, in washing, ironing, sewing, etc., and some of the boys in work upon the grounds, etc. That under contract imparts skill and excites ambition and hope, and enables boys to earn fair wages after their discharge. And incidentally it supplies about two fifths of the annual expenditure, which in 1868 was something more than \$125,000. We consider work indispensable as a part of our educational system, promoting alike health of body and of mind. It has never been our object to get money by labor, but to form habits of industry. The pecuniary gain is valued, but is merely incidental.

Q. 4. Is your Institution, or is it not, self-sustaining?

A. Our Institution, as has appeared from the foregoing, is not self-sustaining, and from our knowledge of what it is designed to do we think it never can be while fulfilling that design.

Q. 5. If self-sustaining, please give us your judgment as to the elements or causes of such success?

A. For answer we refer to the last preceding.

Q. 6. If not self-sustaining, how far does it come short of that point, and what do you conceive to be the cause or causes of the deficiency?

A. Created, as our Society has been, to reform juvenile delinquents, we think it would quite hinder our object to study chiefly how it could be made self-sustaining. It must be sustained by the community, which is amply compensated by the restoration to it of three fourths or more of its inmates to lead an honest and useful life.

Q. 7. Can you suggest any change in the labor system, or other means, whereby a greater income may be realized from the labor of the prisoners?

A. We think the foregoing renders an answer to this question unnecessary; yet we will say that we do not think a change advisable. We are not anxious to seek a greater income from labor. We would not abandon the contract system, because it supplies, without a public burden, a large capital, lately shown to the Commission to be more than a quarter of a million, with the sagacity and skill of private enterprise, and sends out our inmates disposed to improve their opportunity qualified to earn an honest living, and even attain prosperity.

Q. 8. What are the essential provisions of the act or acts under which your Institution is constituted and conducted?

A. The essential provisions of our act of incorporation and of the acts amending it are, 1. That they create a private Corporation for the object its name indicates. 2. That they commit to it the custody of youthful delinquents and vagrants of both sexes until their majority. 3. That they make certain provisions for supplying it with part of the money necessary for carrying it on.

Q. 9. How would the act cited above, supposing it to become a law, affect the relations of your Institution—would it or not, in your judgment, convert it substantially into a State Institution?

A. The act passed by the Assembly, to which we are referred, with the question how it would affect the relations of our Institution, would, if a law,

banish from our shops shoe-making and wire-working, the only works now done there under contract, and would, as we suppose, require public or private contributions to supply the deficiency to follow.

Q. 10. Would you, as a Board, favor such a change?

A. We could not recommend the change, because we think our present system very healthful, physically, mentally, and morally; and we have proof, as taken before your Commission, that the product of this contract labor does not reduce the price of such goods in the market, and is not sold at rates below the market value.

Q. 11. Supposing such a change, with or without your concurrence, to be determined upon, will you favor the Commission with your views as to the legislation which would be necessary and proper to that end?

A. We do not feel able at this time to suggest legislation with the objects referred to in this question.

Q. 12. Is it, or not, your judgment that such a change in the relations of your Institution as would make of it a State instead of a local establishment would involve the necessity of the purchase by the State of its property, real and personal, the abolition of the present local board of management, and the substitution therefor of some form of direct State control?

A. We suppose that the institution in our charge has corporate rights and franchises which the Legislature would not by its enactments take away. We know that the Legislature could at any time transfer the inmates, and provide that it should receive no more; also that the pecuniary supplies now given by law could at any time by law be discontinued.

Q. 13. What do you conceive to be the operation and effect of the contract system of prison labor as regards the financial interests of your Institution, the discipline thereof, and the reformation of the inmates?

A. We have answered this substantially in response to the third, seventh, and tenth questions preceding. Yet we may add that labor is in our opinion as needful as instruction in letters and good morals, for idleness is the parent of crime, and mere schooling ought not to be the sole employment. And the labor ought to be such as may help the inmate to get a living after his discharge, which may show that it should not be restricted to what is only done in foreign countries. We think the recovery to virtue and honor of our youthful vagrants and criminals an object great enough to be made prominent in legislation, and that the vast aggregate of intelligence, skill, and industry of our tradesmen can never suffer by any success that may be achieved by introducing those youths to a knowledge and practice of their trades.

Q. 14. Assuming the abolishment of the contract system in your Institution, and the prosecution therein of the same branch or branches of industry as are at present carried on, what is your judgment as to the amount of capital that would be required for the purchase and fitting up of machinery, and for conducting the manufacturing and business operations of the Institution?

A. Your Commission has taken the testimony of one of our contractors, and it shows the employment here by him of a capital of about \$300,000 in the manufacture of shoes. The manufacture from wire is carried on to a much less extent. We think the change proposed in this question would involve the use by the State in the same manufactures of a greater amount of capital than is now employed by our contractors.

Q. 15. Is it, or not, your judgment that the industries of your own and the other penal and reformatory Institutions of the State could be successfully managed by the agents of the Institution, provided they were freed from the control of politics, their administration made permanent, and competent men placed at their head?

A. Answering this from what we know of this Institution and of industrial pursuits generally, we give it as our opinion that its industry is better managed now than it would be in the way suggested, even though freed from the control of politics.

Q. 16. How do the prices at which the goods manufactured in your Institution are sold, compare with the prices of goods of the same kind and quality made outside?

A. This has been answered for the most part by the contractor alluded to under No. 14 above. The prices of shoes manufactured here are never below the market rates. We are informed that this is true also as to the wire-work.

Q. 17. Is it, or not, your belief that legislation is required to prevent the selling of prison made wares at less prices than are paid for the same wares when manufactured by free labor? If yes, will you suggest the legislation which you judge to be necessary to that end? If no, please state the grounds of your opinion?

A. Our knowledge is limited to our observation here. But we cannot easily believe that prison-made wares are commonly sold for less prices than they would freely command in the markets. We think self-interest must hinder this. But if not, we feel unable to suggest legislation that would be more effectual than self-interest to attain the object proposed.

Q. 18. To what degree, if at all, do you judge that, taking the country at large, the prices of goods made by free labor are affected by the amount of production by the labor of prisons and reformatories?

A. From the testimony alluded to, showing among other things the very small proportion of prison-made wares to the vast aggregate of those manufactured throughout the country, we think the prices of goods made by free labor are not materially or at all affected by the former.

Q. 19. Have you any other statements to make or views to offer on the general subject of the present investigation?

A. What we add is only in view of testimony which was given before the Commission in respect to this Institution. Here, the good of the inmates has ever been the chief object, not the making of money by his labor or the assertion of any unreasonable authority. Instruction in letters, in morals, in industry, with opportunity for recreation, this we think essential, and

endeavor to secure. Merit is rewarded, and reproof and, if necessary, punishment follow offenses. Neither contractors nor their employes are ever allowed to fix the tasks of inmates nor inflict any punishment. All this is done by the officers whom we employ. Nor is punishment allowed to be excessive. In one case mentioned before your Commission, occurring five years ago, it was alleged to have been so by a witness appearing before you. We have disproved it, and have shown that, upon investigation then had in presence of counsel engaged by the friends of the boy who had been punished, that counsel had himself declared the charge disproved. And as to the reckless story by the same witness of habitual cruelty in the shops, we cannot doubt that our answering testimony has satisfied the Commission of its untruth.

In respect to the single case above referred to under an officer who long ago ceased to be in our employ, whatever view may be taken of it as a matter of fact, it was an exceptional case, and not the legitimate and natural result of the system we pursue.

Dated NEW YORK, *December 28, 1870.*

On behalf of the Board of Managers,

EDGAR S. VAN WINKLE,
WM. M. PRICHARD,
EDGAR KETCHUM,
Special Committee.

N. Y. Supreme Court.

GENERAL TERM.

JANUARY, 1871.

THE SOCIETY FOR THE REFORMATION OF
JUVENILE DELINQUENTS

vs.

ALBERT DIERS.

BRADY, J. The act of 1839 (Laws, 1839, p. 11) provides by the first section that no theater, circus, or building, garden or grounds for exhibiting theatrical or equestrian performances in the city of New York shall be opened for such exhibition unless the manager or proprietor thereof shall first and annually obtain from the Mayor of the city a license therefor.

It also provides by the same section that the manager or proprietor neglecting to take out such a license before such exhibition shall be subject to a penalty of five hundred dollars. It also provides by the fourth section for an injunction restraining the opening until the manager or proprietor shall have complied with the requisitions of the act. The act of 1860 (Laws, 1860, p. 999) prohibits the exhibition on Sunday to the public in any building, garden, grounds, concert-room, or other room or place within the

City and County of New York, any interlude, tragedy, comedy, opera, ballet, play, farce, negro minstrelsy, negro or other dancing, or any other entertainment of the stage or any part or parts therein, or any equestrian, circus, or dramatic performance, or any performance of jugglers, acrobats, or rope-dancing. It also provides that any person offending against the provisions of the act, and every person aiding in such exhibition, by advertisement or otherwise, and every person, being owner or lessee, who shall lease any of the places named for the purpose of such exhibition or performance, or assent that it shall be used for that purpose, if the same shall be so used, shall be guilty of a misdemeanor, and, in addition to the punishment provided therefor by law, shall be subjected to a penalty of five hundred dollars; and if the violation be by manager or proprietor, or any other person having a license for the place in which such violation occurs, then the license shall become null and void.

The act of 1862 (Laws, 1862, p. 475) provides that it shall not be lawful to exhibit to the public in any building, garden, or grounds, concert-room, or other place or room within the city of New York, any interlude, tragedy, or comedy, opera, ballet, play, farce, negro minstrelsy, negro or other dancing, or other entertainment of the stage, or any part or parts therein, or any equestrian or dramatic performance, or any performance of jugglers or rope-dancing or acrobats, until a license therefor shall have first been had and obtained pursuant to, and at the same rate provided for theatrical performances, in the act of 1839, *supra*. It also provides that every manager or proprietor of any such exhibition or performance who shall neglect to take out the license or consent to cause or allow any such exhibition or performance, or any single one of them, without such license, shall incur the penalties and be subjected to the provisions for an injunction provided for in the act of 1839, *supra*. The act also subjects to the same penalty the owner or lessee of any building, or of any of the places mentioned, who shall lease or let the same for the purpose of any such exhibition or performance, or who shall assent that the same be used for any such purpose, unless permitted by a license previously obtained therefor, and then in force; provided, however, that such place shall be so used in accordance with such letting or assent. The act of 1862, when compared with the act of 1839, will be found to be much more comprehensive and sweeping, embracing all kinds of dramatic performances or entertainments of the stage besides those expressly designated and any part or parts therein.

If the exhibitions, therefore, at the defendant's garden are included in the terms "opera, farce, interlude, comedy, tragedy, play, ballet," or are in their nature dramatic, or are entertainments of the stage or any part or parts therein, they are within the prohibition of the statute, and cannot be given without a license. The language employed in the act of 1860 and of 1862 leaves no doubt of the intention of the Legislature in regard to the character of the exhibitions or performances for which licenses are to be procured, or of the places in which such exhibitions or performances being publicly given shall be within the prohibitory design. The defendant is

the proprietor of the "National Garten," a public place of resort, and, as appears from the proofs on behalf of the plaintiff, the interior of the building is fitted up for theatrical performances, with a raised stage, orchestra, drop-curtain, side-scenes, foot-lights, and such other arrangements as are usual where theatrical performances are given. It also appears that in August, 1870, and on the 23d day thereof, there was a performance on that stage, by actors dressed in costume adapted to the character of the piece, consisting of a farce in two acts in the German language called *Dienstboten Wirthschaft*, (Servants' Housekeeping,) and on the 19th of August, 1870, a farce in one act, and a comedy in two acts, performed by four actors in the former and six in the latter, all dressed in costume adapted to the character of the pieces. It also appears that for admission to the "Garten" ten cents is charged, and was paid.

The defendant, in answer to these charges, says that his "Garten" is kept for refreshments for visitors, and for concerts, vocal and instrumental, and denies that on the days hereinbefore mentioned there was such a stage or theatrical performance as charged by the plaintiff. He does not deny that the performance on the 23d of August was designated by name as alleged, or that he charges ten cents for admission to his "Garten," nor does he explain the nature of the performances in detail, which he calls concerts, vocal and instrumental, otherwise than by referring particularly to one of the affidavits made on his behalf and annexed to his deposition. It appears by that affidavit that there is, *as usual*, a raised platform; but it is alleged to be in *no sense a regular theatrical stage*, having no foot-lights nor drop-curtain nor scene shifting; and it is said that while the visitors were enjoying their refreshments on the 23d of August two persons went upon the platform and sang an impromptu piece with occasional impromptu dialogue; but it is averred that the exhibition was in no sense a theatrical one, and that it was not a written farce. It is stated, however, that the song and dialogue were for the amusement of the persons present; those persons, it must be borne in mind, having paid ten cents for the privilege of entering the "Garten" and enjoying its entertainments. In that affidavit it is also said that the performance given on the 29th of August, "wrongly called a farce"—in one act with four actors, and a comedy in two acts with six actors in costume—was simply solos, duets, and other songs given impromptu, and relating to the last battle between the Prussians and French at Weissenburg.

It is not denied, be it observed, however, that these actors were dressed in costume appropriate to the piece. It is not stated either that these actors were not in the employment of the defendant. Assuming that the artists who thus appeared have the gift of impromptu song, duet, dialogue, and histrionic representation sufficient, with the limited number of six, to portray the battle at Weissenburg between the French and Germans, the performance was nevertheless in its character dramatic or theatrical.

The raised stage or platform, the song, duet, dialogue, and costumes are not the occurrences of private life, impromptu or otherwise, except occa-

sionally when to beguile the weary hours, or in the better effort to aid some noble charity, amateurs don the glittering robes of the noble or the simpler attire of the gentry or peasantry and assist, to some extent at least, to show that indeed "all the world's a stage, and all the men and women merely players," and the exhibitions thus given are not continuous but isolated, and not in any sense public in public places, as suggested by the counsel for the defendant. They are the exceptions, not the rule.

If we seek for the definition of the words of the statute we find that a play is a "dramatic composition," "a drama," "tragedy," "comedy," or "farce," "a composition in which characters are represented by dialogue and action."

We find also that an interlude is "a short dramatic piece, and generally accompanied with music," though usually represented or performed between the acts of longer performances; and that a farce is "a short dramatic entertainment in which ludicrous qualities are greatly exaggerated for the purpose of exciting laughter," "a short play of low comic character." (*Vide* Worcester's Dictionary.)

It is not essential to the creation of any one of these defined compositions that it should be written. It may be impromptu and be an interlude or farce, the details having been agreed upon, and each actor left to his own capacity to make it harmonious or ludicrous. It is enough, under the broad provisions of the statute referred to, that the result of the combination is a theatrical entertainment. It must also be said that songs and duets sung by persons in costume may be parts of dramatic, theatrical, or operatic entertainment, and must be so regarded when connected with dialogue and sung in a public garden, for admission to which a charge is made. Upon the defendant's case, therefore, taken in connection with averments made by the plaintiffs and not denied, it is clear that the exhibitions or performances at his place are within the prohibitions contained in the statute, and that he is not justified in giving them without the license thereto which he is required to obtain.

On the argument of this motion objection was taken to affidavits which the plaintiffs claimed the right to read in answer to those presented on the part of the defendant.

It was then suggested by the Court that the affidavits might be read in reference to any new matter set up in the papers submitted on the part of the defendant. The assertion that the performance was impromptu is new matter. It is coupled with a denial that the exhibition complained of was, as alleged, a farce or comedy, and is therefore explanatory, or in the nature of a confession and avoidance.

The answering papers of the plaintiffs are therefore to be considered. From these it appears that the defendant, in one of the proceedings against him by the plaintiffs, signed a paper and described himself as a theatrical manager. It also appears that on the occasion of the 23d of August, as a substitute for programmes, there was a bulletin board arranged on the wall of the defendant's premises, on which was written, announcing the

performance, "*Zum Schluss—Dienstboten Wirthschaft*," "Finale—Servants' Housekeeping," a fact which affects the probability of the exhibition being impromptu, and justifies a conclusion to the contrary. And it appears in reference to the play of the 29th of August that actresses participated in the performance, and that in one of the compositions but two songs were sung.

Other facts and circumstances appear to which I make no reference, inasmuch as they may not be responsive to the new matter urged as relevant and important for the defendant. It is quite apparent, from these facts and circumstances, that the defendant must, if he designs to continue his business in the mode heretofore conducted, seek a license.

The Legislature has said that it must be done, and as the law affects all equally there is no reason why all should not be required to bear its burdens. It is not by these statutes intended to interfere with the theatrical amusements of the people, but to exercise a salutary supervision of them, and to compel the persons who thus cater for the public pleasure in public places and for their own aggrandizement to pay for the privilege the license fee, the penalties that may be recovered for violations of the law being appropriated for the benefit of the plaintiffs' Institution, which is regarded as one of great usefulness.

I have set out more at length than was necessary, perhaps, the statutes bearing upon the question discussed, but the subject is important, and others should understand that public exhibitions of a theatrical, operatic, dramatic, or equestrian character cannot be given in this city, in any place opened for that purpose, without a license therefor, as long as the statutes referred to remain unrepealed.

It is only necessary to say further, that the existence of another action for a violation of the statute of 1860, *supra*, by giving a performance on Sunday, has no bearing upon the plaintiff's right to an injunction herein. The cause of action in that case is wholly independent of that of which this action is predicated.

For these reasons, the motion to dissolve the injunction must be denied.
Ordered accordingly.

CRAM & ROBINSON,
Attorneys for Plaintiffs.

C. C. EGAN,
Attorneys for Defendant.

N. Y. Supreme Court.

GENERAL TERM.

JANUARY, 1869.

THE PEOPLE *ex rel.* THE SOCIETY FOR THE
REFORMATION OF JUVENILE DELINQUENTS

vs.

FRANCIS DEGENEN.

This is an appeal by *certiorari* to review an order made by Mr. Justice Barbour, of the Superior Court of the city of New York, discharging the respondent Francis Degnen from the custody of the Managers of the House of Refuge on Randall's Island.

The order was made on the return to a writ of *habeas corpus* previously issued by the said Justice, and directed to the Superintendent of the House of Refuge, to inquire into the cause of the respondent's detention.

The return to the writ, the truth of which was admitted on the hearing, set forth that the respondent was detained by virtue of a warrant of commitment, which was made a part of the return, and from which it appeared that the respondent, on the 13th day of October, 1868, after having been duly convicted of the misdemeanor of petit larceny by the Court of Special Sessions of the Peace for the city and county of New York, had been sent to the House of Refuge.

The judgment of the court, as set out in the commitment, was as follows: "That the said Francis, for the misdemeanor aforesaid, whereof he is convicted, (*it appearing to the court that he is under the age of sixteen years,*) *be sent to the House of Refuge, there to be dealt with according to law.*"

Mr. Justice Barbour held that the commitment was void for indefiniteness as to the period of imprisonment; that the omission to state such period, and which should have been within the statutory limit of six months, was a fatal defect in the commitment, and that any detention under it was therefore illegal. For these reasons, Mr. Justice Barbour, by an order reciting them, and dated November 21, 1868, discharged the respondent from custody.

HENRY A. CRAM, for Relators.

CLERKE, J.—It is a mistake to say that the term indicated in the conviction is indefinite, so that it gives authority to the House of Refuge to confine the prisoner for an unascertainable period. The words of the con-

viction itself, indeed, do not specify the precise period; but it refers with sufficient certainty to the authority given by law to this Institution, and that is in express terms to retain in its custody male persons until their majority, and female persons until the age of 18 years. By this provision the construction of every conviction is governed. Even if there is any ambiguity in the language, it should be construed liberally, for the authority given to this Institution is beneficial in its effect on the individual prisoner and on society: in relation to the former, the exercise of the authority amounts to a commutation of the ordinary punishment. Strictly speaking, confinement in the House of Refuge does not partake of the degradation or physical suffering to which persons are subject usually in prisons. Its discipline is reformatory, with the view of saving persons, during the susceptibility of tender years, from total profligacy, and restoring them to society in condition no longer dangerous to it.

The order of the Judge should be reversed.

BARNARD, J.—The Society for the Reformation of Juvenile Delinquents was incorporated by the Legislature in 1824; power was given to the Managers of the Society “to receive and take into the House of Refuge to be established by them” certain classes of delinquent children, and “to place the said children committed to their care, during the minority of such children, at such useful employments, and to cause them to be instructed in such branches of useful knowledge, as shall be suitable to their years and capacity.” An annual report was to be made by the Managers to the Legislature, and to the Corporation of the City of New York, of all the facts and particulars which tended to show the effect, whether advantageous or otherwise, of the association. The Legislature also directed that the act should “be construed, in all courts and places, benignly and favorably for every humane and laudable purpose therein contained.” The institution thus created was a charity, and not a prison. Its object was the reformation of children, and not their punishment. The children received by them for this purpose were received during their minority for boys, and not beyond 18 years for girls. In furtherance of this charitable design of reformation, courts, by which juvenile offenders were convicted of crime, were empowered, instead of sentencing such person to a State-prison or County Jail, to order “that he be removed to and confined in the House of Refuge established for the reformation of juvenile delinquents in the city of New York.” The sentence of the law upon the criminal is not imposed. Instead thereof, he is committed to the care and custody of this charitable Institution during minority to be instructed in useful knowledge. No court can increase the term of detention or shorten it. The act incorporating the Society fixes it once for all. The learned Judge fell into an error in discharging the defendant. The order should be reversed, and defendant remanded to the care and custody of the Relators.

SUTHERLAND, J.—I concur in the conclusion.

